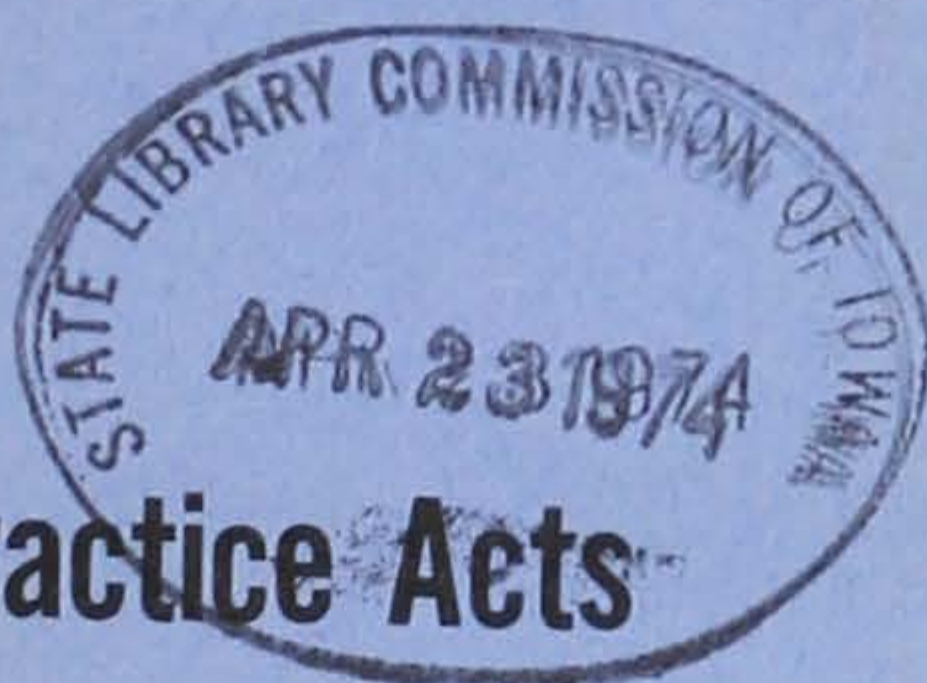


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IOWA STATE DEPARTMENT OF HEALTH

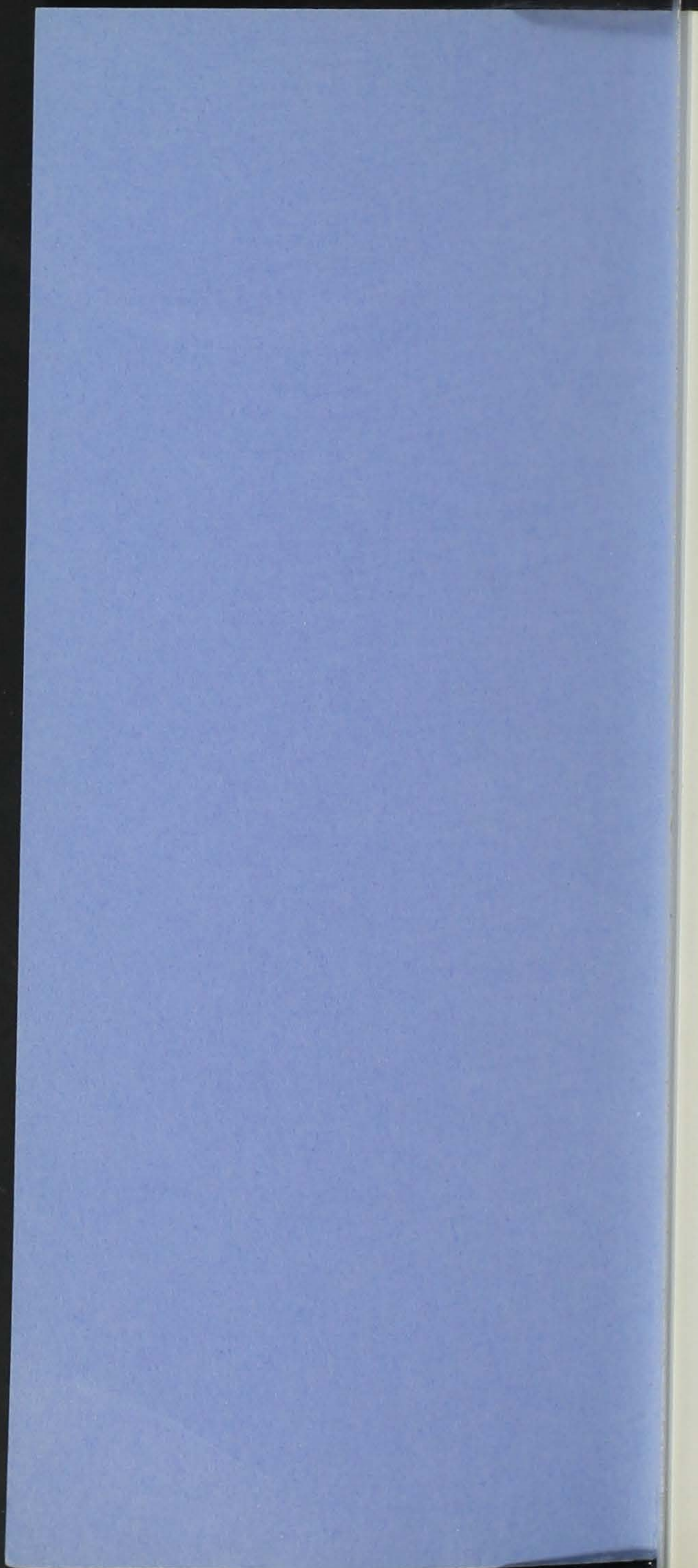


Practice Acts

Relating to

OSTEOPATHIC MEDICINE and SURGERY

State Office Bldg.
Des Moines, Iowa 50319
1967



e.1

LAWS and RULES
Relating
to the Practice of
OSTEOPATHIC
MEDICINE and SURGERY

Report all changes of address.

Applications for
Examination and
information may be
secured by writing

Ron Saf, Executive Secretary
Board of Medical Examiners
503 Empire Building
Des Moines, Iowa 50309

●

CHAPTER 147

GENERAL PROVISIONS REGULATING PRACTICE PROFESSIONS

Referred to in §§150.11, 155.3, subsection 3, 155.13,
subsection 2, 158.12, 203A.2, subsection 1

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147.1 Definitions. For the purpose of this and the following chapters of this title:

1. "Examining board" shall mean one of the boards appointed by the governor to give examinations to applicants for licenses.

2. "Licensed" when applied to a physician and surgeon, podiatrist, osteopath, osteopathic physician and surgeon, chiropractor, nurse, dentist, dental hygienist, optometrist, pharmacist, physical therapist, practitioner of cosmetology, practitioner of barbering, funeral director or embalmer shall mean a person licensed under this title.

3. "Profession" shall mean medicine and surgery, podiatry, osteopathy, osteopathic medicine and surgery, chiropractic, nursing, dentistry, dental hygiene, optometry, pharmacy, physical therapy, cosmetology, barbering, funeral directing or embalming.

4. "Department" shall mean the state department of health. [C24, 27, 31, 35, 39, §2438; C46, 50, 54, 58, 62, §147.1; 60GA, ch 122, §1; 61GA, ch 167, §§7, 8]

LICENSES

147.2 License required. No person shall engage in the practice of medicine and surgery, podiatry, osteopathy, osteopathic medicine and surgery, chiropractic, physical therapy, nursing, dentistry, dental hygiene, optometry, pharmacy, cosmetology, barbering, funeral directing or embalming as defined in the following chapters of this title, unless he shall have obtained from the state department of health a license for that purpose. [C97, §§2582, 2588; S13, §§2575-a28, -a31, -a36, 2582, 2583-a, -d, -r, 2600-o4; SS15, §2588; C24, 27, 31, 35, 39, §2439; C46, 50, 54, 58, 62, §147.2; 60GA, ch 122, §2; 61GA, ch 167, §9]

147.3 Qualifications. No person shall be licensed to practice a profession under this title until he shall have furnished satisfactory evidence to the department that he has attained the age of twenty-one years and is of good moral character, except that women may be licensed as dental hygienists, or men or women may be licensed as barbers, or as cosmetologists, upon attaining the age of eighteen years. [S13, §§2575-a29, -a37, 2583-a, -l; C24, 27, 31, 35, 39, §2440; C46, 50, 54, 58, 62, §147.3]

Referred to in §152.3

147.4 Grounds for refusing. The department may refuse to grant a license to practice a profession to any person otherwise qualified upon any of the grounds for which a license may be revoked by the district court. [C97, §2578; S13, §§2575-a33, -a41, 2578, 2583-c; C24, 27, 31, 35, 39, §2441; C46, 50, 54, 58, 62, §147.4]

Grounds for revocation, §§147.55 et seq., 154.4

147.5 Form. Every license to practice a profession shall be in the form of a certificate under the seal of the department, signed by the commissioner of public health. Such license shall be issued in the name of the examining board which conducts examinations for that particular profession. The number of the book and page containing the entry

of said license in the office of the department shall be noted on the face of the license. [C97, §§2576, 2577, 2591; S13, §§2575-a30,-a38, 2576, 2583-k, 2600-d; C24, 27, 31, 35, 39, §2442; C46, 50, 54, 58, 62, §147.5]

147.6 Certificate presumptive evidence. Every license issued under this title shall be presumptive evidence of the right of the holder to practice in this state the profession therein specified. [C97, §2576; S13, §§2575-a30,-a38, 2576, 2583-k, 2600-d; C24, 27, 31, 35, 39, §2443; C46, 50, 54, 58, 62, §147.6]

147.7 Display of license. Every person licensed under this title to practice a profession shall keep his license publicly displayed in the place in which he practices. [C97, §2591; S13, §2600-o1; C24, 27, 31, 35, 39, §2444; C46, 50, 54, 58, 62, §147.7]

147.8 Record of licenses. The name, age, nativity, location, number of years of practice of the person to whom a license is issued to practice a profession, the number of the certificate, and the date of registration thereof shall be entered in a book kept in the office of the department to be known as the registry book, and the same shall be open to public inspection. [C97, §2591; S13, §§2575-a40, 2583-a,-k, 2600-d; C24, 27, 31, 35, 39, §2445; C46, 50, 54, 58, 62, §147.8]

147.9 Change of residence. When any person licensed to practice a profession under this title changes his residence he shall notify the department and such change shall be noted in the registry book. [C97, §2591; C24, 27, 31, 35, 39, §2446; C46, 50, 54, 58, 62, §147.9]

147.10 Renewal. Every license to practice a profession shall expire on the thirtieth day of June following the date of issuance of such license, and shall be renewed annually upon application by the licensee, without examination. Application for such renewal shall be made in writing to the department accompanied by the legal fee at least thirty days prior to the expiration of such license. Every renewal shall be displayed in connection with the original license. Every year the department shall notify each licensee by mail of the expiration of his license. This section and section 147.11 shall not apply to dentists and dental hygienists. [C97, §2590; S13, §§2575-a39, 2589-d; C24, 27, 31, 35, 39, §2447; C46, 50, 54, 58,

62,§147.10]

Referred to in §§140.32, 147.11

Dentists and dental hygienists renewal, §153.11

147.11 Reinstatement. Any licensee who allows his license to lapse by failing to renew the same, as provided in section 147.10, may be reinstated without examination upon recommendation of the examining board for his profession and upon payment of the renewal fees then due. [C24, 27, 31, 35, 39,§2448; C46, 50, 54, 58, 62,§147.11]

Referred to in §147.10

EXAMINING BOARDS

147.12 Examining boards. For the purpose of giving examinations to applicants for licenses to practice the professions for which a license is required by this title, the governor shall appoint a board of examiners for each of said professions. [C97,§§2576, 2584; S13,§§2575-a29,-a37, 2576, 2583-a,-h, 2600-b; SS15,§2584; C24, 27, 31, 35, 39,§2449; C46, 50, 54, 58, 62,§147.12]

Referred to in §147.13

147.13 Designation of boards. The examining boards provided in section 147.12 shall be designated as follows: For medicine and surgery, and osteopathy, and osteopathic medicine and surgery medical examiners; for podiatry, podiatry examiners; for chiropractic, chiropractic examiners; for physical therapists, physical therapy examiners; for nursing, board of nursing; for dentistry and dental hygiene, dental examiners; for optometry, optometry examiners; for cosmetology, cosmetology examiners; for barbering, barber examiners; for pharmacy, pharmacy examiners; for funeral directing and embalming, funeral director and embalmer examiners. [C24, 27, 31, 35, 39,§2450; C46, 50, 54, 58, 62,§147.13; 60GA, ch 122,§3, ch 125,§9; 61GA, ch 167,§10]

147.14 Composition of boards. Each examining board shall consist of three members, except the dental and nurse boards each of which shall consist of five members and the medical examiners which shall consist of eight members and the physical therapy examining board which shall consist of four members. [C97,§§2564, 2576, 2584; S13,§§2564, 2575-a29,-a37, 2576, 2583-a,-h, 2600-b; SS15,§2584; C24, 27, 31, 35, 39,§2451; C46, 50, 54, 58, 62,§147.14; 60GA, ch 122,§4; 61GA, ch 167,§13]

147.15 Professional qualifications. Every

dental, podiatry, chiropractic, nurse, optometry, pharmacy, cosmetology, barbering, and funeral director and embalmer examiner shall be a person licensed to practice the profession for which the board, of which he is a member, conducts examinations for licenses to practice such profession. The medical examiners shall consist of eight persons, six of whom shall be licensed to practice medicine and surgery and two of whom shall be licensed to practice osteopathic medicine and surgery. Three of the physical therapy examiners shall be licensed to practice physical therapy and one of the physical therapy examiners shall be licensed to practice medicine and surgery. [C97, §§2564, 2576, 2584; S13, §§2564, 2575-a29, -a37, 2576, 2583-a, -h, 2600-b; SS15, §2584; C24, 27, 31, 35, 39, §2452; C46, 50, 54, 58, 62, §147.15; 60GA, ch 122, §5; 61GA, ch 167, §11]

147.16 Practice requirement for examiners. Each examiner shall be actively engaged in the practice of his profession and shall have been so engaged in this state for a period of five years just preceding his appointment, except physical therapy examiners and nurse examiners who shall be so actively engaged for a period of five years, but only the last two of which need be in this state. [C97, §2584; S13, §§2583-a, -h, 2600-b; SS15, §2584; C24, 27, 31, 35, 39, §2453; C46, 50, 54, 58, 62, §147.16; 61GA, ch 167, §14]

147.17 Qualifications for medical examiners. In addition to the preceding requirements, each of the six medical members of the board of medical examiners shall be a graduate of some reputable school of medicine and each osteopathic physician and surgeon member shall be a graduate of some reputable school of osteopathy or osteopathic medicine and surgery. [C97, §§2564, 2576; S13, §§2564, 2576; C24, 27, 31, 35, 39, §2454; C46, 50, 54, 58, 62, §147.17; 60GA, ch 122, §6]

147.18 Disqualifications. No examiner shall be an officer or member of the instructional staff of any school in which any profession regulated by this title is taught, or be connected therewith in any manner, and no funeral director and embalmer or optometry examiner shall be connected in any manner with any wholesale or jobbing house dealing in optical or embalming supplies, and no cosmetology examiner shall be connected with any wholesale or jobbing house dealing in

supplies sold to practitioners of cosmetology, and no barber examiner shall be connected with any wholesale or jobbing house dealing in supplies sold to practitioners of barbering, providing, however, that the foregoing shall not apply to nurse examiners. [C97,§2564; S13,§§2564, 2583-a,-j, 2600-k; C24, 27, 31, 35, 39, §2455; C46, 50, 54, 58, 62,§147.18]

147.19 Term. The members of each examining board shall be appointed for a term of three years, except the dental and nurse examiners who shall be appointed for a term of five years and except the medical examiners, the medical members of which shall be appointed for a term of six years and the osteopathic physician and surgeon members of which shall be appointed for a term of three years. No nurse examiner shall be appointed to more than two consecutive terms. The term of each examiner shall commence on July 1 in the year of appointment and the terms of the members of each board shall be rotated in such a manner that one examiner shall retire each year except the board of medical examiners in which two examiners shall retire in years when the three-year term of an osteopathic physician and surgeon member expires. [C97,§§2564, 2576, 2584; S13,§§2564, 2575-a29,-a37, 2576, 2583-a,-h, 2600-b; SS15,§2584; C24, 27, 31, 35, 39,§2456; C46, 50, 54, 58, 62, §147.19; 60GA, ch 122,§7; 61GA, ch 165,§1]

For terms of osteopathic and physical therapy members as of July 1, 1965, and successors, see 60GA, ch 122,§7, and 61GA, ch 167,§12

147.20 Nomination of examiners. The regular state association or society or its managing board for each profession may submit each year to the governor a list of six persons of recognized ability in such profession, who have the qualifications prescribed for examiners for that particular profession. If such list is submitted, the governor in making an appointment to the board of examiners for such profession shall select one of the persons so named. The names of the osteopathic nominees for the appointment to the board of medical examiners shall be submitted to the governor, as herein provided in any year prior to expiration of the term of any such member. [S13,§§2583-a,-h, 2600-b; C24, 27, 31, 35, 39,§2457; C46, 50, 54, 58, 62,§147.20; 60GA, ch 122,§8]

147.21 Vacancies. Any vacancy in the membership of an examining board caused by death, resignation, removal, or otherwise, shall

be filled for the period of the unexpired term in the same manner as original appointments. [C97, §§2564, 2576; S13, §§2564, 2576, 2583-h, 2600-b; C24, 27, 31, 35, 39, §2458; C46, 50, 54, 58, 62, §147.21]

147.22 Officers. Each examining board shall organize annually and shall select a chairman and a secretary from its own membership. [C97, §§2576, 2585; S13, §§2576, 2583-i, 2585, 2600-c; C24, 27, 31, 35, 39, §2459; C46, 50, 54, 58, 62, §147.22]

Referred to in §§147.98, 147.105

147.23 Transaction of business by mail. Each examining board shall, as far as practicable, provide by rule for the conducting of its business by mail, but all examinations shall be conducted in person by the board or by some representative of the board as provided in section 147.39. Any official action or vote taken by mail shall be preserved by the secretary in the same manner as the minutes of regular meetings. [C24, 27, 31, 35, 39, §2460; C46, 50, 54, 58, 62, §147.23]

147.24 Compensation. Each member of an examining board shall, in addition to necessary traveling and hotel expenses, receive twenty-five dollars per day for each day actually engaged in the discharge of his duties, including compensation for the time spent in traveling to and from the place of conducting the examination and for a reasonable number of days for the preparation of examination questions and the reading of papers, in addition to the time actually spent in conducting examinations. [C97, §2574; S13, §§2574, 2575-a34, -a44, 2583-a, -p, 2600-g; C24, 27, 31, 35, 39, §2461; C46, 50, 54, 58, 62, §147.24; 60GA, ch 122, §9]

147.25 Appropriation. There is hereby annually appropriated out of any funds in the state treasury not otherwise appropriated a sum sufficient to pay the compensation and expenses of the members of each examining board, inspectors and clerical assistants for each such board. [S13, §§2575-a34, -a44, 2583-a, -n, -p, 2600-g; C24, 27, 31, 35, 39, §2462; C46, 50, 54, 58, 62, §147.25]

Referred to in §158.9

147.26 Supplies. The department shall furnish each examining board with all articles and supplies required for the public use and necessary to enable said board to perform the

duties imposed upon it by law. Such articles and supplies shall be obtained by the department in the same manner in which the regular supplies for the department are obtained and the same shall be considered and accounted for as if obtained for the use of the department. When examinations are held at the state university, the necessary articles and supplies for conducting the same shall be furnished by the university authorities. [C97,§2583; S13,§§2575-a34,-a44, 2583, 2583-a,-p, 2600-g; C24, 27, 31, 35, 39,§**2463**; C46, 50, 54, 58, 62,§147.26]

Referred to in §147.103

147.27 Quarters. The executive council shall furnish each examining board with suitable quarters in which to conduct the examinations held by said board at the seat of government. When examinations are held at the state university, the superintendent of buildings and grounds shall furnish such quarters. [S13,§2583-a; C24, 27, 31, 35, 39,§**2464**; C46, 50, 54, 58, 62,§147.27]

147.28 National organization. Each examining board may maintain a membership in the national organization of the state examining boards of its profession.

There is hereby annually appropriated out of the funds in the state treasury not otherwise appropriated a sum sufficient to pay the fees necessary for each such state examining board to maintain membership in its national organization, but such sum shall not exceed two hundred dollars for any year. The amount of said fees shall be certified to the state comptroller by the commissioner of public health, and the comptroller is hereby authorized to draw warrants and the treasurer of state to pay same for this purpose. [C27, 31, 35,§2465-b1; C39,§**2465.1**; C46, 50, 54, 58, 62,§147.28]

EXAMINATIONS

147.29 Applications. Any person desiring to take the examination for a license to practice a profession shall make application to the state department of health at least fifteen days before the examination, on a form provided by the department. Such application shall be accompanied by the examination fee and such documents and affidavits as are necessary to show the eligibility of the candidate to take such examination. All applications shall be in accordance with the rules of the department and shall be signed and verified by the oath of the applicant. [S13,§2575-a37;

C24, 27, 31, 35, 39,§2466; C46, 50, 54, 58, 62, §147.29]

Exceptions, §147.94, et seq.

147.30 Time and place of examinations. The department shall give public notice of the time and place of all examinations to be held under this title. Such notice shall be given in such manner as the department may deem expedient and in ample time to allow all candidates to comply with the provisions of this title. [S13,§2576; C24, 27, 31, 35, 39,§2467; C46, 50, 54, 58, 62,§147.30]

147.31 Accredited high schools. The department shall prepare and keep up to date a list of accredited high schools and other secondary schools for the purpose of passing upon the qualifications of an applicant for an examination when such applicant is required by any provision of this title to be a graduate of such school. The secretary of the state board of regents and the registrars of the state University of Iowa, the Iowa State University of science and technology, and the State College of Iowa shall supply the necessary data to the department for the preparation of said list. [C24, 27, 31, 35, 39,§2468; C46, 50, 54, 58, 62, §147.31]

147.32 Accredited colleges. The state department of health shall prepare and keep up to date a list of accredited colleges in which are taught the professions which are regulated by this title. The examining board for each profession shall make recommendations relative thereto and shall approve the list for the profession for which it gives license examinations. No such school shall be accredited by the department unless it has been so recommended and approved by the proper examining board together with the commissioner of health. Such recommendations and approval shall be made at some regular session of the board held for the purpose of giving an examination. [C24, 27, 31, 35, 39,§2469; C46, 50, 54, 58, 62,§147.32]

147.33 Professional schools. As a basis for such action on the part of the examining board, the registrar of the state University of Iowa and the dean of the professional school of said institution which teaches the profession for which said board gives license examinations, shall supply such data relative to any such professional school as said board may

request. [C24, 27, 31, 35, 39,§2470; C46, 50, 54, 58, 62,§147.33]

147.34 Time of examination. Each examining board shall hold regular sessions for the purpose of giving examinations at such times as the department may fix, not to exceed four in any one year. The medical examiners, dental examiners, pharmacy examiners, and physical therapy examiners shall hold a similar session at the state university at the close of each school year to give examinations to students of the medical, dental, and pharmacy colleges of said institution and to other applicants who are qualified to take the same. In case there are other schools located in the state at which any of the professions regulated by this title are taught, two of the examinations for the profession taught at any such school may be held each year at such institution, if the examining board for that profession so desires. All other sessions of the examining boards shall be held at the seat of government unless otherwise ordered by the department. [C97,§§2576, 2582, 2589, 2597; S13, §§2575-a29,-a37, 2576, 2582, 2583-a,-i,-k, 2589-a, 2600-c,-d; SS15,§2589-a; C24, 27, 31, 35, 39,§2471; C46, 50, 54, 58, 62,§147.34; 61GA, ch 167,§15]

147.35 Names of eligible candidates. Prior to each examination the department shall transmit to each examining board the list of candidates who are eligible to take the examination given by such board. In making up such list the department may call upon any examining board, or any member thereof, for information relative to the eligibility of any applicant. [C24, 27, 31, 35, 39,§2472; C46, 50, 54, 58, 62,§147.35]

147.36 Rules. Each examining board shall establish rules for:

1. The conducting of examinations.
2. The grading of examinations and passing upon the technical qualifications of applicants, as shown by such examinations. [C97,§2584; S13,§§2575-a38, 2583-a,-i, 2600-e; SS15,§2584; C24, 27, 31, 35, 39,§2473; C46, 50, 54, 58, 62,§147.36]

147.37 Identity of candidate concealed. All examinations in theory shall be in writing, and the identity of the person taking the same shall not be disclosed upon the examination papers in such a way as to enable the members of the examining board to know by whom

written until after the papers have been passed upon. In examinations in practice the identity of the candidate shall also be concealed as far as possible. [C97,§2576; S13, §§2576, 2583-a; C24, 27, 31, 35, 39,§2474; C46, 50, 54, 58, 62,§147.37]

147.38 Quorum and representation. Two members of each board, except the dental board and medical board, shall constitute a quorum for conducting examinations. Three members of the dental board and medical board shall constitute a quorum for conducting examinations. [C97,§2576; S13,§§2575-a30,-a38, 2576, 2583-i, 2600-c; C24, 27, 31, 35, 39,§2475; C46, 50, 54, 58, 62,§147.38]

Composition of boards, §147.14

147.39 Clerk. Upon the request of any examining board, the department shall detail some employee to act as clerk of any examination given by said examining board. Such clerk shall have charge of the candidates during the examination and perform such other duties as the examining board may direct. If the duties of such clerk are performed away from the seat of government, he shall receive his necessary travel and hotel expenses, which shall be paid from the appropriations to the department in the same manner in which other similar expenses are paid. [C24, 27, 31, 35, 39,§2476; C46, 50, 54, 58, 62,§147.39; 60GA, ch 122,§10]

Referred to in §147.23

147.40 Certification of applicants. Every examination shall be passed upon in accordance with the established rules of the examining board and shall be satisfactory to at least a majority of the members of said board. After each examination, the examining board shall certify the names of the successful applicants to the state department of health in the manner prescribed by it. The department shall then issue the proper license and make the required entry in the registry book. [C97, §2576; S13,§§2575-a30,-a38, 2576, 2583-i, 2600-c; C24, 27, 31, 35, 39,§2477; C46, 50, 54, 58, 62, §147.40]

147.41 Partial examinations. Any examining board may give a partial examination for a license to practice a profession to any applicant who has completed a portion of his professional course. For such purpose said board shall establish by rule:

1. The portion of such course which shall be completed prior to such examination.

2. The subjects to be covered by such examination and the subjects to be covered by the final examination to be taken by such applicant after the completion of his professional course and prior to the issuance of his license, but the subjects covered in the partial and final examinations shall be the same as those specified in this title for the regular examination. [C24, 27, 31, 35, 39, §2478; C46, 50, 54, 58, 62, §147.41]

Referred to in §147.42

147.42 Rules relative to partial examinations. In case any examining board shall provide for partial examinations under section 147.41, the department shall adopt rules establishing:

1. The portion of the license fee fixed in this chapter which shall be paid for a partial examination.

2. The credentials which shall be presented to the department by an applicant showing his qualifications to take such examination.

3. The method of certifying the list of the eligible applicants for such examination to the proper examining board.

4. The method of certifying back to the department the list of applicants who successfully pass such examination.

5. The method of keeping the records of such applicants for use at the time of completing the examination for a license.

6. The credentials which shall be presented to the department by such an applicant upon the completion of his professional course.

7. The method of certifying such applicant to the proper examining board for the remainder of his examination.

8. Such other matters of procedure as are necessary to carry into effect section 147.41. [C24, 27, 31, 35, 39, §2479; C46, 50, 54, 58, 62, §147.42]

147.43 Preservation of records. All matters connected with each examination for a license shall be filed with the state department of health and preserved for five years as a part of the records of the department, during which time said records shall be open to public inspection. [C97, §2576; S13, §§2576, 2578-a, 2583-a; C24, 27, 31, 35, 39, §2480; C46, 50, 54, 58, 62, §147.43]

RECIPROCAL LICENSES

147.44 Agreements. For the purpose of recognizing licenses which have been issued in other states to practice any profession for which a license is required by this title, the department shall enter into a reciprocal agreement with every state which is certified to it by the proper examining board under the provisions of section 147.45 and with which this state does not have an existing agreement at the time of such certification. [C97,§2582; S13, §2582; C24, 27, 31, 35, 39,§2481; C46, 50, 54, 58, 62,§147.44]

Referred to in §147.107

147.45 States entitled to reciprocal relations. The department shall at least once each year lay before the proper examining board the requirements of the several states for a license to practice the profession for which such examining board conducts examinations for licenses in this state. Said examining board shall immediately examine such requirements and after making such other inquiries as it deems necessary, shall certify to the department the states having substantially equivalent requirements to those existing in this state for that particular profession and with which said examining board desires this state to enter into reciprocal relations. [S13, §§2575-a30,-a39, 2589-b, 2600-m; C24, 27, 31, 35, 39,§2482; C46, 50, 54, 58, 62,§147.45]

Referred to in §§147.44, 147.107

147.46 Reciprocal agreements. In negotiating any reciprocal agreement, the department shall be governed by the following regulations:

1. *Protection to licensees of this state.* When the laws of any state or the rules of the authorities of said state place any requirement or disability upon any person licensed in this state to practice any profession regulated by this title which affects the right of said person to be licensed or to practice his profession in said state, then the same requirement or disability shall be placed upon any person licensed in said state when applying for a license to practice in this state.

2. *Special conditions.* When any examining board has established by rule any special condition upon which reciprocal agreements shall be entered into, as provided in section 147.47, such condition shall be incorporated into the reciprocal agreements negotiated with refer-

ence to licenses to practice the professions for which such examining board conducts examinations. [S13, §§2575-a30, -a39, 2582-a, 2589-b, 2600-m; C24, 27, 31, 35, 39, §2483; C46, 50, 54, 58, 62, §147.46]

Referred to in §147.107

147.47 Special conditions. An examining board shall have power to provide by rule that no reciprocal relation shall be entered into by the department with any state with reference to licenses to practice the profession for which such examining board conducts examinations, unless every person licensed in another state when applying for a license to practice in this state shall comply with one or both of the following conditions:

1. Furnish satisfactory proof to the department that he has been actively engaged in the practice of his profession for a certain period of years to be fixed by such examining board.

2. Pass a practical examination in the practice of his particular profession as prescribed by such examining board. [S13, §2600-m; C24, 27, 31, 35, 39, §2484; C46, 50, 54, 58, 62, §147.47]

Referred to in §§147.46, 147.107

147.48 Termination of agreements. When the requirements for a license in any state with which this state has a reciprocal agreement are changed by any law or rule of the authorities therein so that such requirements are no longer substantially as high as those existing in this state, then such agreement shall be deemed terminated and licenses issued in such state shall not be recognized as a basis of granting a license in this state until a new agreement has been negotiated. The fact of such change shall be determined by the proper examining board and certified to the department for its guidance in enforcing the provisions of this section. [C24, 27, 31, 35, 39, §2485; C46, 50, 54, 58, 62, §147.48]

Referred to in §147.107

147.49 License of another state. The department shall, upon presentation of a license to practice a profession issued by the duly constituted authority of another state, with which this state has established reciprocal relations, and subject to the rules of the examining board for such profession, license said applicant to practice in this state, unless under the rules of said examining board a practical examination is required in such cases.

The department of health may, upon the recommendation of the medical examiners, accept in lieu of the examination prescribed in section 148.3 or section 150A.3 a license to practice medicine and surgery or osteopathic medicine and surgery, issued by the duly constituted authority of another state, territory or foreign country. Endorsement may be accepted by the department of health in lieu of further written examination without regard to the existence or nonexistence of a reciprocal agreement, but shall not be in lieu of the standards and qualifications prescribed by section 148.3 or section 150A.3. [C97,§2582; S13,§§2575-a30,-a39, 2582, 2583-1, 2589-b, 2600-m; C24, 27, 31, 35, 39, §2486; C46, 50, 54, 58, 62,§147.49; 60GA, ch 122, §11]

Referred to in §147.107

147.50 Practical examinations. If the rules of any examining board require an applicant for a license under a reciprocal agreement to pass a practical examination in the practice of his profession, then such applicant shall make application therefor to the department upon a form provided by it. [C24, 27, 31, 35, 39,§2487; C46, 50, 54, 58, 62,§147.50]

Referred to in §147.107

147.51 Applicability of other provisions. All the provisions of this chapter relative to applications, transmittal of the names of eligible candidates, certification of successful applicants, and issuance of licenses thereto, in the case of regular examinations, shall apply as far as applicable to applicants for practical examinations. [C24, 27, 31, 35, 39,§2488; C46, 50, 54, 58, 62,§147.51]

Referred to in §147.107

147.52 Reciprocity. When the laws of any state or the rules of the authorities of said state place any requirement or disability upon any person holding a diploma or certificate from any college in this state in which one of the professions regulated by this title is taught, which affects the right of said person to be licensed in said state, the same requirement or disability shall be placed upon any person holding a diploma from a similar college situated therein, when applying for a license to practice in this state. [S13,§2582-a; C24, 27, 31, 35, 39,§2489; C46, 50, 54, 58, 62,§147.52]

Referred to in §147.107

147.53 Power to adopt rules. The department and each examining board shall have

power to establish the necessary rules, not inconsistent with law, for carrying out the reciprocal relations with other states which are authorized by this chapter. [C24, 27, 31, 35, 39, §2490; C46, 50, 54, 58, 62, §147.53]

Referred to in §147.107

147.54 Change of residence. Any licensee who is desirous of changing his residence to that of another state or territory shall upon application to the department, and payment of the legal fee, receive a certified statement that he is a duly licensed practitioner in this state. [S13, §2600-n; C24, 27, 31, 35, 39, §2491; C46, 50, 54, 58, 62, §147.54]

Referred to in §147.107

REVOCATION OF LICENSES

147.55 Grounds. A license to practice a profession shall be revoked or suspended when the licensee is guilty of any of the following acts or offenses:

1. Fraud in procuring his license.
2. Incompetency in the practice of his profession.
3. Immoral, unprofessional, or dishonorable conduct.
4. Habitual intoxication or addiction to the use of drugs.
5. Conviction of an offense involving turpitude.
6. Fraud in representations as to skill or ability.
7. Use of untruthful or improbable statements in advertisements. This shall not be construed as permitting dentists or dental hygienists to advertise their services or products, contrary to the other provisions of this title relative thereto.
8. Distribution of intoxicating liquors or drugs for any other than lawful purposes.
9. Willful or repeated violations of this title, the title on "Public Health", or the rules of the state department of health.
10. Continued practice while knowingly having an infectious or contagious disease.

1. [C97, §2578; S13, §§2575-a33, -a41, 2578, 2583-c, 2600-o5; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

2. [C97, §2578; S13, §§2578, 2583-c, -m; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

3. [C97, §2578; S13, §§2575-a33, -a41, 2578, 2583-m,

2600-o5; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

4. [C97, §2578; S13, §§2575-a41, 2578, 2583-c, -m, 2600-o5; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

5. [C97, §2578; S13, §§2578, 2583-c, 2600-o5; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

6. [C97, §2578; S13, §§2578, 2583-c; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

7. [C97, §2578; S13, §§2578, 2583-c, 2600-o5; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

8. [C73, §1535; C97, §§2386, 2400; S13, §§2386, 2400; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

9. [C97, §2596; S13, §§2575-a33, -a41; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

10. [S13, §2583-c; C24, 27, 31, 35, 39, §2492; C46, 50, 54, 58, 62, §147.55]

Referred to in §§147.56, 148.6, 148.7, subsection 7, 154.4, 156.9

Public health, Title VII

See also §§144.54, 147.4

147.56 Unprofessional conduct. For the purposes of section 147.55 "unprofessional conduct" shall consist of any of the following acts:

1. Solicitation of professional patronage by agents or persons popularly known as "cappers" or "steerers", or profiting by the acts of those representing themselves to be agents of the licensee.

2. Receipt of fees on the assurance that a manifestly incurable disease can be permanently cured.

3. Acceptance of a fee for service as a witness, without the knowledge of the court, in addition to the fee allowed by the court.

4. Division of fees or agreeing to split or divide the fees received for professional services with any person for bringing or referring a patient or assisting in the care or treatment of a patient without the consent of said patient or his legal representative.

5. Advertisement of any medicine or means whereby the monthly periods of women can be regulated or the menses re-established if suppressed.

6. Procurement or aiding or abetting in the procurement of a criminal abortion.

7. Willful betrayal of a professional secret.

8. Willful neglect of a patient in a critical condition and as to dentists and dental hygien-

ists "unprofessional conduct" shall also consist of any of the acts denominated as such in the other provisions of this title relating to dentists and dental hygienists. [C97,§2578; S13, §2578; C24, 27, 31, 35, 39,§2493; C46, 50, 54, 58, 62,§147.56]

Referred to in §§148.6, 148.7, subsection 7

147.57 Dental hygienist and dentist. The practice of dentistry by a dental hygienist shall also be grounds for the revocation of her license, and the permitting of such practice by the dentist under whose supervision said dental hygienist is operating shall be grounds for revoking the license of said dentist. [S13, §2600-o5; C24, 27, 31, 35, 39,§2494; C46, 50, 54, 58, 62,§147.57]

147.58 Jurisdiction of revocation. The district court of the county in which a licensee resides shall have jurisdiction of the proceeding to revoke or suspend his license. [C24, 27, 31, 35, 39,§2495; C46, 50, 54, 58, 62,§147.58]

Referred to in §148.6

147.59 Petition for revocation. The petition for the revocation or suspension of a license may be filed by the attorney general in all cases. Said petition shall be filed in the office of the clerk of the district court having jurisdiction. [C24, 27, 31, 35, 39,§2496; C46, 50, 54, 58, 62,§147.59]

Referred to in §148.6

147.60 Duty of department. The state department of health shall direct the attorney general to file such petition against any licensee upon its own motion, or it may give such direction upon the sworn information of some person who resides in the county wherein the licensee practices. [C97,§§2578, 2596; S13, §§2575-a33,-a41, 2578-a, 2583-c,-m, 2600-o5; C24, 27, 31, 35, 39,§2497; C46, 50, 54, 58, 62,§147.60]

Referred to in §148.6

147.61 Attorney general and county attorney. The attorney general shall comply with such direction of the department and prosecute such action on behalf of the state, but the county attorney, at the request of the attorney general, shall appear and prosecute such action when brought in his county. [C24, 27, 31, 35, 39,§2498; C46, 50, 54, 58, 62,§147.61]

Referred to in §148.6

147.62 Rules governing petition. The fol-

lowing rules shall govern the petition in such cases:

1. The state shall be named as plaintiff and the licensee as defendant.

2. The charges against the licensee shall be stated in full.

3. Amendments may be made as in ordinary actions.

4. All allegations shall be deemed denied but the licensee may plead thereto if he desires. [C24, 27, 31, 35, 39, §2499; C46, 50, 54, 58, 62, §147.62]

Referred to in §148.6

Amendments allowed, R.C.P. 88 and 249

147.63 Trial. Upon the presentation of the petition, or a copy thereof, to the court or judge, he shall make an order fixing the time and place for the hearing, which shall be not less than ten nor more than twenty days thereafter. [S13, §§2575-a33.-a41, 2578-a, 2583-c,-m, 2600-o5; C24, 27, 31, 35, 39, §2500; C46, 50, 54, 58, 62, §147.63]

Referred to in §148.6

147.64 Notice. Notice of the filing of such petition and of the time and place of hearing shall be served upon the licensee at least ten days before said hearing in the manner required for the service of notice of the commencement of an ordinary action. [S13, §§2575-a33.-a41, 2578-a, 2583-c,-m, 2600-o5; C24, 27, 31, 35, 39, §2501; C46, 50, 54, 58, 62, §147.64]

Referred to in §148.6

Manner of service, R.C.P. 56(a)

147.65 Nature of action. The proceeding shall be summary in its nature, triable as an equitable action, and may be heard either in vacation or term time. [S13, §§2575-a33.-a41, 2578-a, 2583-c,-m, 2600-o5; C24, 27, 31, 35, 39, §2502; C46, 50, 54, 58, 62, §147.65]

Referred to in §148.6

How issues tried, R.C.P. 177

147.66 Judgment. Judgment of revocation or suspension of the license shall be entered of record and the licensee shall not engage in the practice of his profession after his license is revoked or during the time for which it is suspended. The clerk of the court shall, upon the entry of such judgment, forthwith furnish the state department of health with a certified copy thereof. [C73, §1535; C97, §§2386, 2400; S13, §§2386, 2400, 2575-a33.-a41, 2578-a; C24, 27, 31, 35,

39,§2503; C46, 50, 54, 58, 62,§147.66]

Referred to in §148.6

147.67 Default. In case the licensee fails to appear, either in person or by counsel at the time and place designated in said notice, the court, after receiving satisfactory evidence of the truth of the charges, shall order the license revoked or suspended. [S13,§§2575-a33,-a41, 2578-a; C24, 27, 31, 35, 39,§2504; C46, 50, 54, 58, 62,§147.67]

Referred to in §148.6

147.68 Costs. If the judgment is adverse to the licensee the costs shall be taxed to him as in ordinary civil actions, but if the state is the unsuccessful party the costs shall be paid out of any money in the state treasury not otherwise appropriated. [C24, 27, 31, 35, 39,§2505; C46, 50, 54, 58, 62,§147.68]

Referred to in §148.6
Costs, ch 625

147.69 Unpaid costs. All costs accrued at the instance of the state, when the successful party, which the attorney general certifies cannot be collected from the defendant, shall be paid out of any money in the state treasury not otherwise appropriated. [C24, 27, 31, 35, 39, §2506; C46, 50, 54, 58, 62,§147.69]

Referred to in §148.6

147.70 Hearing on appeal. Both parties shall have the right of appeal, and in such event, the supreme court shall fix the time of hearing, and for filing abstracts and arguments. Said cause shall be advanced and take precedence over all other causes upon the court calendar, and shall be heard at the next term after the appeal is taken, provided the abstracts and arguments are filed in said court in time for said action to be heard. [S13,§§2578-b, 2600-o5; C24, 27, 31, 35, 39,§2507; C46, 50, 54, 58, 62, §147.70]

Referred to in §148.6

147.71 Effect of appeal. The taking of an appeal by the defendant and the filing of a supersedeas bond shall not operate to stay the proceedings of the district court or judge, or restore the right of said defendant to practice his profession pending such appeal. [C24, 27, 31, 35, 39,§2508; C46, 50, 54, 58, 62,§147.71]

Referred to in §148.6
Supersedeas bond, R.C.P. 337(a)

USE OF TITLES AND DEGREES

147.72 Professional titles and abbreviations.

Any person licensed to practice a profession under this title may append to his name any recognized title or abbreviation, which he is entitled to use, to designate his particular profession, but no other person shall assume or use such title or abbreviation, and no licensee shall advertise himself in such a manner as to lead the public to believe that he is engaged in the practice of any other profession than the one which he is licensed to practice. [S13, §§2575-a28, -a31, 2583-q; C24, 27, 31, 35, 39, §2509; C46, 50, 54, 58, 62, §147.72]

Referred to in §147.73

147.73 Titles used by holder of degree.

Nothing in section 147.72 shall be construed:

1. As authorizing any person licensed to practice a profession under this title to use or assume any degree or abbreviation of the same unless such degree has been conferred upon said person by an institution of learning accredited by the appropriate board herein created, together with the commissioner of health, or by some recognized state or national accredited agency.

2. As prohibiting any holder of a degree conferred by an institution of learning accredited by the appropriate board herein created, together with the commissioner of health, or by some recognized state or national accrediting agency, from using the title which such degree authorizes him to use, but he shall not use such degree or abbreviation in any manner which might mislead the public as to his qualifications to treat human ailments. [C24, 27, 31, 35, 39, §2510; C46, 50, 54, 58, 62, §147.73]

147.74 False representation. Any person who falsely holds himself out by the use of any professional title or abbreviation, either in writing, cards, signs, circulars, or advertisements, to be a practitioner of a system of the healing arts other than the one under which he holds a license or who fails to use the following designations shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars, nor more than one hundred dollars, or be sentenced to thirty days in jail.

A physician or surgeon may precede his name with the title "Doctor", and shall add after his name the letters, "M. D."

An osteopath or osteopathic physician and surgeon may use the prefix "Doctor", but shall

add after his name the letters, "D. O." or "O. S." as the case may be, or the words, "Osteopath" or "Osteopathic Physician and Surgeon".

A chiropractor may use the prefix "Doctor", but shall add after his name the letters, "D. C." or the word, "Chiropractor".

A dentist may use the prefix "Doctor", but shall add after his name the letters "D. D. S." or the word "Dentist" or "Dental Surgeon".

A podiatrist may use the prefix "Dr." but shall add after his name the word "Podiatrist".

Any graduate of a school accredited on the board of optometric examiners may use the prefix "Doctor", but shall add after his name the letters "Opt." or "Optometrist".

A physical therapist shall be entitled to use the words "licensed physical therapist" after his name or to signify the same by the use of the letters "L. P. T." after his name.

No other practitioner licensed to practice his profession under any of the provisions of this title shall be entitled to use the prefix "Dr." or "Doctor". [C31, 35, §2510-d1; C39, §2510.1; C46, 50, 54, 58, 62, §147.74; 60GA, ch 122, §12; 61GA, ch 167, §16]

147.75 Itinerants. Any person holding an itinerant practitioner's license on July 4, 1963 is hereby granted continuation of the rights and privileges granted under such license for as long as his regular license is maintained. [C97, §2581; S13, §§2581, 2583-e; C24, 27, 31, 35, 39, §2512; C46, 50, 54, 58, 62, §147.76; 60GA, ch 123, §1]

147.76 to 147.79, inc. Repealed by 60GA, ch 123, §1.

FEES

147.80 License—examination—renewal fees. The following fees shall be collected by the state department of health:

1. For a license to practice dentistry or pharmacy, issued upon the basis of an examination given by the dental examiners or board of pharmacy examiners, twenty-five dollars or, issued under a reciprocal agreement, fifty dollars.

2. For a license to practice medicine and surgery or osteopathic medicine and surgery, issued upon the basis of an examination given by the medical examiners, fifty dollars. For a license to practice medicine and surgery, osteopathic medicine and surgery or osteopathy, issued by endorsement or under a reciprocal agreement, one hundred dollars.

3. For a license to practice podiatry, chiro-

practic, physical therapy, and optometry, issued upon the basis of an examination given by an examining board, twenty dollars.

4. For a license to practice any of the professions enumerated in the preceding subsection issued under a reciprocal agreement, forty dollars.

5. For a license to practice dental hygiene, cosmetology, barbering, funeral directing and embalming, issued upon the basis of an examination given by an examining board, ten dollars.

6. For a license to practice any of the professions enumerated in the preceding subsection issued under a reciprocal agreement, twenty dollars; except that a license to practice nursing shall be ten dollars or for a license to practice nursing based on an endorsement from another state, territory or foreign country, the fee shall be ten dollars.

7. For the renewal of a license to practice any of the professions enumerated in the preceding subsections, one dollar; except the renewal fee of a license to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy shall be five dollars, and except the renewal fee to practice cosmetology shall be three dollars, and except the renewal fee of a license to practice pharmacy shall be seven dollars and fifty cents, except the renewal fee for a license to practice pharmacy of a person who is not a resident of the state of Iowa and who does not practice pharmacy in the state of Iowa shall be two dollars and fifty cents, and except the renewal fee of a license to practice nursing shall be four dollars and except the renewal fee of a license to practice funeral directing and the renewal fee of a license to practice embalming shall be two dollars each, and except the renewal fee of a license to practice podiatry shall be five dollars, and except the renewal fee of a license to practice optometry shall be five dollars.

Referred to in §§147.101, 147.115

8. For a certified statement that a licensee is licensed in this state, five dollars, except that the fee for a certified statement that a licensee is licensed to practice pharmacy in this state shall be ten dollars.

9. For an examination to determine whether an applicant has the educational attainments of a high school graduate, five dollars.

10. For a license to conduct a school teaching cosmetology, an annual fee of one hundred dollars.

11. For a permit to practice as an apprentice in cosmetology, one dollar.

12. For a license to conduct a school of barbering, an annual fee of twenty-five dollars.

13. For transfer of license upon change of ownership of a barber shop or barber school, a fee of one dollar.

14. For the renewal of a license to practice barbering an annual fee of five dollars; for the renewal of a license to operate a barber shop, an annual fee of three dollars.

15. The department may issue a duplicate license, which shall be so designated on its face, upon satisfactory proof the original license issued by the department has been destroyed or lost, upon payment of a fee of five dollars.

16. An applicant for a license to practice as a professional nurse, upon the basis of an examination, shall pay a fee of thirty dollars to the board of nursing. An additional fee of twenty dollars shall be paid for each re-examination.

17. An applicant for a license to practice as a licensed practical nurse, upon the basis of examination, shall pay a fee of twenty dollars to the board of nursing. An additional fee of ten dollars shall be paid for each re-examination.

18. The penalty for late payment of the renewal fee for the practice of professional nursing is two dollars.

19. A nurse who does not engage in nursing during the year succeeding the annual expiration of the license shall notify the board to place the nurse upon the inactive list and the nurse shall not be required to pay the renewal fee so long as he or she remains inactive and so notifies the board. To resume nursing the nurse shall notify the board and remit the renewal fee for the current annual period.

1. [C97,§2576; S13,§§2576, 2583-a, 2600-d; C24, 27, 31, 35, 39,§2516; C46, 50, 54, 58, 62,§147.80; 60GA, ch 122,§13, ch 124,§1]

2. [C97,§2582; S13,§§2582, 2583-a, 2600-m; C24, 27, 31, 35, 39,§2516; C46, 50, 54, 58, 62,§147.80; 60GA, ch 122,§13]

3. [S13,§§2583-a,-l,-n; C24, 27, 31, 35, 39,§2516; C46, 50, 54, 58, 62,§147.80; 60GA, ch 122,§13]

4. [S13,§§2583-a,-l,-n; C24, 27, 31, 35, 39,§2516;

C46, 50, 54, 58, 62, §147.80]

5. [C97, §2590; S13, §§2575-a30, -a38, 2589-d; C24, 27, 31, 35, 39, §2516; C46, 50, 54, 58, 62, §147.80; 60GA, ch 124, §1, ch 125, §15]

6. [S13, §§2575-a30, -a39, 2589-b; C24, 27, 31, 35, 39, §2516; C46, 50, 54, 58, 62, §147.80; 60GA, ch 125, §15]

7. [C97, §§2590, 2591; S13, §§2575-a39, 2589-d; C24, 27, 31, 35, 39, §2516; C46, 50, 54, 58, 62, §147.80; 60GA, ch 122, §13, ch 124, §1, ch 125, §6]

8. [S13, §2600-n; C24, 27, 31, 35, 39, §2516; C46, 50, 54, 58, 62, §147.80; 60GA, ch 124, §1]

9. [S13, §2583-a; C24, 27, 31, 35, 39, §2516; C46, 50, 54, 58, 62, §147.80]

10, 11. [C31, 35, 39, §2516; C46, 50, 54, 58, 62, §147.80]

12, 13. [C46, 50, 54, 58, 62, §147.80]

14. [C58, 62, §147.80]

15. [60GA, ch 125, §7]

16. [60GA, ch 125, §7]

17. [60GA, ch 125, §7]

18. [60GA, ch 125, §7]

19. [60GA, ch 125, §7]

Referred to in §§147.101, 147.115, 158.11

Exemption to members of armed forces, 51GA, ch 99, §1

Subsections 8 and 12 repealed by 60GA, ch 123, §2

147.81 Second examination. Any applicant for a license who fails in his examination shall be entitled to a second examination without further fee at any time within a period of fourteen months after the first examination. [C97, §§2576, 2590; S13, §§2576, 2583-n, 2589-d; C24, 27, 31, 35, 39, §2517; C46, 50, 54, 58, 62, §147.81]

147.82 Fees paid into treasury. All fees collected under this chapter shall be paid into the state treasury. [C97, §2583; S13, §§2575-a44, 2583-a, -s; C24, 27, 31, 35, 39, §2518; C46, 50, 54, 58, 62, §147.82]

Exception, §147.94 et seq.

Paying fees into state treasury, §12.10

VIOLATIONS—CRIMES—PUNISHMENT

147.83 Injunction. Any person engaging in any business or in the practice of any profession for which a license is required by this title without such license may be restrained by permanent injunction. [C24, 27, 31, 35, 39, §2519; C46, 50, 54, 58, 62, §147.83]

Injunctions, ch 664

147.84 Forgeries. Any person who shall file or attempt to file with the state department of health any false or forged diploma, or certificate or affidavit of identification or qualification, shall be guilty of forgery and punished accordingly. [C97, §§2580, 2595; S13, §2583-d; C24, 27, 31, 35, 39, §2520; C46, 50, 54, 58, 62, §147.84]

Forgery, ch 718

147.85 Fraud. Any person who shall present to the department a diploma or certificate of which he is not the rightful owner, for the purpose of procuring a license, or who shall falsely personate anyone to whom a license has been issued by said department shall be punished as provided in section 147.86. [C97, §§2580, 2581, 2595; S13, §§2575-a45, 2581, 2583-c,-d; C24, 27, 31, 35, 39, §2521; C46, 50, 54, 58, 62, §147.85]

147.86 Penalties. Any person violating any provision of this or the following chapters of this title, except insofar as said provisions apply or relate to or affect the practice of pharmacy, of cosmetology, and of barbering, shall be fined not less than one hundred dollars nor more than one thousand dollars or be imprisoned in the county jail for not more than six months or by both such fine and imprisonment. [C97, §§2580, 2581, 2588, 2590, 2591, 2595; S13, §§2575-a35,-a45, 2581, 2583-d,-r, 2589-d, 2600-o4; SS15, §2588; C24, 27, 31, 35, 39, §2522; C46, 50, 54, 58, 62, §147.86]

Referred to in §147.85

ENFORCEMENT PROVISIONS

147.87 Enforcement. The state department of health shall enforce the provisions of this and the following chapters of this title and for that purpose shall make necessary investigations relative thereto. Every licensee and member of an examining board shall furnish the department such evidence as he may have relative to any alleged violation which is being investigated. [C24, 27, 31, 35, 39, §2523; C46, 50, 54, 58, 62, §147.87]

Referred to in §§147.95, 147.109

147.88 Department inspector and assistant. There is hereby created the position of health department inspector and assistant who shall be attached to the state department of health and who shall be appointed by the commissioner of health of the state of Iowa. The health department inspector's duties shall consist of investigating all violations of this title,

securing all available evidence and reporting to the department of health. [C31, 35, §2523-c1; C39, §2523.1; C46, 50, 54, 58, 62, §147.88]

Referred to in §§147.95, 147.109

147.89 Report of violators. Every licensee and member of an examining board shall report, also, to the department the name of every person, without a license, that he has reason to believe is engaged in:

1. Practicing any profession for which a license is required.

2. Operating as an itinerant practitioner of such profession. [C24, 27, 31, 35, 39, §2524; C46, 50, 54, 58, 62, §147.89]

Referred to in §§147.95, 147.109

147.90 Rules and forms. The state department of health shall establish the necessary rules and forms for carrying out the duties imposed upon it by the provisions of this and the following chapters of this title. [C24, 27, 31, 35, 39, §2525; C46, 50, 54, 58, 62, §147.90]

147.91 Publications. The department shall have printed in pamphlet form for each profession the following matter which is pertinent to the particular profession for which such pamphlet is published:

1. The law regulating the practice of the profession.

2. The rules of the department relative to licenses.

3. The rules of the examining board relative to examinations.

Such pamphlet shall be supplied to any person applying for the same. [C24, 27, 31, 35, 39, §2526; C46, 50, 54, 58, 62, §147.91]

147.92 Attorney general and county attorney. Upon request of the state department of health the attorney general shall institute in the name of the state the proper proceedings against any person charged by the department with violating any provision of this or the following chapters of this title and the county attorney, at the request of the attorney general, shall appear and prosecute such action when brought in his county. [S13, §2600-o7; C24, 27, 31, 35, 39, §2527; C46, 50, 54, 58, 62, §147.92]

147.93 Prima-facie evidence. The opening of an office or place of business for the practice of

any profession for which a license is required by this title, the announcing to the public in any way the intention to practice any such profession, the use of any professional degree or designation, or of any sign, card, circular, device, or advertisement, as a practitioner of any such profession, or as a person skilled in the same, shall be prima-facie evidence of engaging in the practice of such profession. [S13, §§2575-a28,-a31, 2600-o; C24, 27, 31, 35, 39,§2528; C46, 50, 54, 58, 62,§147.93]

EXCEPTIONS

147.94 Pharmacists. The provisions of this chapter relative to the making of application for a license, the issuance of a license, the negotiation of reciprocal agreements for recognition of foreign licenses, the collection of license and renewal fees, and the preservation of records shall not apply to the licensing of persons to practice pharmacy, but such licensing shall be governed by the following regulations:

1. Every application for a license to practice pharmacy shall be made direct to the secretary of the pharmacy examiners.

2. Such license and all renewals thereof shall be issued by said examiners.

3. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by said examiners.

4. All license and renewal fees exacted from persons licensed to practice pharmacy shall be paid to and collected by the secretary of the pharmacy examiners.

5. All records in connection with the licensing of pharmacists shall be kept by said secretary.

1. [C97,§2589; S13,§2589-b; SS15,§2589-a; C24, 27, 31, 35, 39,§2529; C46, 50, 54, 58, 62,§147.94]

2. [C97,§2590; S13,§2589-d; C24, 27, 31, 35, 39, §2529; C46, 50, 54, 58, 62,§147.94]

3. [S13,§2589-b; C24, 27, 31, 35, 39,§2529; C46, 50, 54, 58, 62,§147.94]

4. [C97,§2590; S13,§2589-d; C24, 27, 31, 35, 39, §2529; C46, 50, 54, 58, 62,§147.94]

5. [C97,§§2586, 2595; C24, 27, 31, 35, 39,§2529; C46, 50, 54, 58, 62,§147.94]

Referred to in §147.96

147.95 Enforcement—agents as peace officers. The provisions of this title insofar as they affect the practice of pharmacy shall

be enforced by the pharmacy examiners and the provisions of sections 147.87, 147.88, and 147.89 shall not apply to said profession. Officers, agents, inspectors, and representatives of the board of pharmacy examiners shall have the powers and status of peace officers when enforcing the provisions of this title. [C97,§2584; S13,§2596-c; SS15,§2584; C24, 27, 31, 35, 39,§2530; C46, 50, 54, 58, 62,§147.95; 61GA, ch 169,§8]

Referred to in §147.96

147.96 Pharmacy examiners. In discharging the duties and exercising the powers provided for in sections 147.94 and 147.95, the pharmacy examiners and their secretary shall be governed by all the provisions of this chapter which govern the department of health when discharging a similar duty or exercising a similar power with reference to any of the professions regulated by this title. [C24, 27, 31, 35, 39,§2531; C46, 50, 54, 58, 62,§147.96]

147.97 Repealed by 57GA, ch 96,§3.

147.98 Secretary of pharmacy examiners. The pharmacy examiners shall have the right to employ a full-time secretary, who shall not be a member of the examining board, at such compensation as may be fixed from time to time in the biennial salary act and the provisions of section 147.22 providing for a secretary for each examining board shall not apply to the pharmacy examiners. [C97,§2585; S13,§2585; C24, 27, 31, 35, 39,§2532; C46, 50, 54, 58, 62, §147.98]

147.99 Duties of secretary. The secretary of the pharmacy examiners shall, upon the direction of said examiners, make inspections of alleged violations of the provisions of this title relative to the practice of pharmacy and of chapters 203, 204, and 205. Said secretary shall be allowed his necessary traveling and hotel expenses in making such inspections. [C97, §2585; S13,§2585; C24, 27, 31, 35, 39,§2533; C46, 50, 54, 58, 62,§147.99]

See also §204.19

147.100 Renewal fee. The secretary of the pharmacy examiners shall annually add two dollars and fifty cents to the renewal fee provided in this chapter for a person licensed to practice pharmacy. Such additional amount shall be considered as a part of the regular renewal fee and payment of the same shall be a

prerequisite to the renewal of his license. The funds derived from the additional renewal fee collected under this section shall be paid to the state pharmacy association upon the order of its treasurer and secretary. Said funds shall be used by such association in the advancement of the art and science of pharmacy. [C97, §2590; S13, §2589-d; C24, 27, 31, 35, 39, §2534; C46, 50, 54, 58, 62, §147.100]

147.101 Association fee collected. The state department of health shall annually add three dollars to the renewal fee provided for in subsection 7 of section 147.80, for one licensed to practice embalming and shall annually add three dollars to the renewal fee provided for in subsection 7 of section 147.80 for one licensed to practice funeral directing, and such additional moneys shall be accepted as part of the regular renewal fee. The payment of the same shall be prerequisite to the renewal of such licenses. The funds derived by the state department of health from the additional renewal fees collected under this section in behalf of the profession of funeral directing and embalming shall be paid to the board of funeral directing and embalming examiners at such time as said board of funeral directing and embalming examiners or the Iowa funeral directors association conducts a state-wide educational meeting for its members, in such amounts as are necessary for such said meeting only and such funds so collected by the state department of health shall be used for the advancement of the arts and sciences of the funeral directing and embalming profession. [C39, §2534.1; C46, 50, 54, 58, 62, §147.101]

147.102 Physicians and surgeons, chiropractors and osteopaths. Notwithstanding the provisions of this title, every application for a license to practice medicine and surgery, chiropractic, osteopathy, or osteopathic medicine and surgery, shall be made direct to the secretary of the examining board of such profession, and every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession, and all examination, license, and renewal fees received from such persons licensed to practice any of such professions shall be paid to and collected by the secretary of the examining board of such profession, which secretary shall turn the same over to the department of health on the first day of January, 1925, and quarterly

thereafter. [S13,§2583-a; C24, 27, 31, 35, 39,§2535; C46, 50, 54, 58, 62,§147.102; 60GA, ch 122,§14]

147.103 Clerical help, inspectors and supplies, medical examiners' fund. Subject to the approval of the executive council, the chiropractic examining board may employ such clerical assistance as may be necessary to said board to perform the duties imposed upon it by law. Payment for such assistance shall be made out of the appropriation provided for said examining board in the biennial departmental appropriations. The executive council shall also furnish said board with the necessary quarters and all articles and supplies required for public use, and the provisions of section 147.26 shall not apply to said board.

All fees paid to the department by practitioners of medicine and surgery, osteopathic medicine and surgery and osteopathy, shall be transmitted by the department to the treasurer of state who shall receipt therefor and who shall keep such fees in a separate fund to be known as the "state board of medical examiners fund", to be used by the medical examiners to assist in administering and enforcing the laws relating to the practice of medicine and surgery, osteopathic medicine and surgery and osteopathy. Such fund shall be continued from year to year and the treasurer shall keep a separate account thereof showing receipts and disbursements and any remainder in said fund in excess of twenty-five thousand dollars at the end of each calendar year shall be paid into the general fund of the state. Said fund shall be subject at all times to the warrant of the state comptroller drawn upon written requisition of the chairman of the medical examiners and attested by the secretary, for the payment of all salaries, per diem expense, and other expenses necessary to administer and aid in the enforcement of the provisions of law relating to the practice of medicine and surgery, osteopathic medicine and surgery and osteopathy, but in no event shall the total expenses therefor exceed the total fees collected and deposited to the credit of said fund.

The medical examiners may appoint an inspector, who shall not be a member of the examining board, to properly administer and aid in the enforcement of the provisions of the law relating to those licensed to practice medicine and surgery, osteopathic medicine and surgery and osteopathy, by said board. The amount of compensation for such inspector

shall be approved by the executive council and paid from the "state board of medical examiners fund". [C24, 27, 31, 35, 39, §2536; C46, 50, 54, 58, 62, §147.103; 60GA, ch 122, §15]

Budget regulated by chapter 8

147.104 Records. The secretary of each of said boards shall keep a correct record of the proceedings of said board, and upon the granting of any license to practice any of said professions the board shall, at the time of granting said license, certify to the department of health the application upon which such license was issued, together with the questions submitted in the examination of such applicant and the answers thereto, and such secretary shall deposit with the department of health all records not needed for the current use of his examining board. [S13, §2583-a; C24, 27, 31, 35, 39, §2537; C46, 50, 54, 58, 62, §147.104]

BOARD OF NURSING

147.105 Executive director. The board of nursing is authorized to appoint a full-time executive director who shall not be a member of the board, and the provisions of section 147.22 which provide for a secretary for each examining board shall not apply to this board. [C35, §2537-g1; C39, §2537.1; C46, 50, 54, 58, 62, §147.105; 60GA, ch 125, §11]

Referred to in §§147.107-147.110, inc.

147.106 Duties. All records which pertain to the licensing of nurses in this state shall be kept by the executive director who shall keep a record of all proceedings of the board of nursing and perform such further duties as the board shall generally or specifically determine. [C35, §2537-g2; C39, §2537.2; C46, 50, 54, 58, 62, §147.106; 60GA, ch 125, §10]

Referred to in §§147.107-147.110, inc.

147.107 Applications — reciprocal agreements — fees — work permits. Every application for a license to practice nursing in this state shall be made direct to the secretary of the board of nurse examiners, and upon the granting of any such license the secretary shall certify to the department of health that such license has been granted. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the board. Notwithstanding the provisions of sections 147.44 to 147.54, inclusive, the conditions for the recognition of any such license issued in another state shall be

determined by the board, and it may certify for a license to practice nursing in this state without examinations an applicant who has been duly licensed as a nurse under the laws of another state, territory or foreign country, if in the opinion of the board the applicant meets all the qualifications required for a registered or licensed practical nurse under section 152.3. All examination, license and renewal fees received from such persons licensed to practice nursing shall be paid to and collected by the secretary of the board, who shall remit to the treasurer of state quarterly all fees collected, and at the same time render to the state comptroller an itemized and verified report showing the source from which said fees were obtained. All such fees collected and remitted shall be placed in a special fund by the treasurer of state and the state comptroller to be known as the "Nurses' fund", to be used by the board to administer and enforce the laws relating to the practice of nursing, to elevate the standards of schools of nursing, and to promote the educational and professional standards of nurses and nursing in this state, and no part of such expense shall be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year, after all expense in carrying out the provisions of sections 147.105 to 147.110, inclusive, have been paid, or a sum sufficient for payment thereof set apart, shall be paid into the general fund of the state. Said fund shall be subject at all times to the warrant of the state comptroller, drawn upon written requisition of the chairman of the board and attested by the secretary, for the payment of all salaries and other expenses necessary to carry out the provisions of said sections, but in no event shall the total expenses therefor exceed the total fees collected and deposited to the credit of said fund.

A work permit may be issued by the board of nursing to persons who have completed requirements and applied for licensure either by examination or by endorsement. Tenure of the work permit for the person applying for license by examination shall not exceed the time between the application and the time of the next issuance of licenses. [C35, §2537-g3; C39, §2537.3; C46, 50, 54, 58, 62, §147.107; 60GA, ch 125, §12]

Referred to in §§147.108-147.110, inc.

147.108 Assistants — payment. Subject to the approval of the commissioner of public

health, the board may appoint such assistants and inspectors as may be necessary to properly administer and enforce the provisions of sections 147.105 to 147.110, inclusive. They shall perform such duties as the board shall assign to them. The amount of salary or compensation of the secretary and such appointees shall be fixed by the executive council. [C35,§2537-g4; C39,§2537.4; C46, 50, 54, 58, 62,§147.108]

Referred to in §§147.107, 147.109, 147.110

147.109 Enforcement — applicable statutes. The provisions of this title insofar as they affect the practice of nursing shall be enforced by the board of nurse examiners, and the provisions of sections 147.87, 147.88, and 147.89 shall not apply to said profession. In discharging the duties and exercising the powers provided for in sections 147.105 to 147.110, inclusive, the board and its secretary shall be governed by all the provisions of law which govern the department of health when discharging a similar duty or exercising a similar power that pertains to the nursing profession. [C35,§2537-g5; C39,§2537.5; C46, 50, 54, 58, 62,§147.109]

Referred to in §§147.107, 147.108, 147.110

147.110 Interpretation. No provision of law in conflict with any provision of sections 147.105 to 147.109, inclusive, shall have any effect thereon or upon the rights of any person licensed under this title. [C35,§2537-g6; C39, §2537.6; C46, 50, 54, 58, 62,§147.110]

Referred to in §§147.107-147.109, inc.

WOUNDS BY CRIMINAL VIOLENCE

147.111 Report of treatment of wounds. Any person licensed under the provisions of this title, who shall administer any treatment to any person suffering an injury of violence, which appears to have been received in connection with the commission of a criminal offense, or to whom an application is made for treatment of any nature because of any such injury of violence, shall at once but not later than twelve hours thereafter, report said fact to the sheriff of the county in which said treatment was administered or an application therefor was made, stating therein the name of such person, his residence if ascertainable, and giving a brief description of the injury. Any provision of law or rule of evidence relative to confidential communications is suspended insofar as the provisions hereof are concerned. [C31, 35,§2537-d1; C39,§2537.7; C46, 50, 54, 58, 62,

§147.111]

Referred to in §147.112

147.112 Report by sheriff. The sheriff of any county who has received any report required by this chapter and who has any reason to believe that the person injured was involved in the commission of any crime, either as perpetrator or victim, shall at once report said fact, giving all the details relative thereto to the chief of the bureau of investigation. No sheriff shall divulge any information received under the provisions of this section and section 147.111 to any person other than a law enforcing officer, and then only in connection with the investigation of the alleged commission of a crime. [C31, 35, §2537-d2; C39, §2537.8; C46, 50, 54, 58, 62, §147.112]

147.113 Violations. Any person failing to make the report required herein shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed one hundred dollars. [C31, 35, §2537-d3; C39, §2537.9; C46, 50, 54, 58, 62, §147.113]

INSPECTOR FOR DENTAL EXAMINERS

147.114 Inspector employed. The board of dental examiners is authorized to employ an inspector, who shall not be a member of the examining board, at such per diem compensation as shall be fixed by the executive council and payable from a special fund in the office of the treasurer of the state known as the state board of dental examiners fund. [C62, §147.114]

147.115 Additional fees—funds created. The secretary of the dental examiners shall annually add four dollars to the renewal fee provided in this chapter for a person licensed to practice dentistry. Such additional amount shall be considered as a part of the regular renewal fee and payment of same by a licensee shall be a prerequisite to the renewal of his license. The funds derived from the additional renewal fee collected under this section shall be placed in a special fund by the treasurer of the state and the state comptroller to be known as the "State Board of Dental Examiners Fund", to be used by the examining board to assist in administering and enforcing the laws relating to the practice of dentistry, and no part of such expense shall be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year shall be paid into the

general fund of the state. Said fund shall be subject at all times to the warrant of the state comptroller, drawn upon written requisition of the chairman of examining board and attested by the secretary, for the payment of all salaries, per diem expense, and other expenses necessary to administer and aid in the enforcement of the provisions of law relating to the practice of dentistry, but in no event shall the total expenses therefor exceed the total fees collected and deposited to the credit of said fund.

The state department of health shall collect an initial fee of twenty dollars from each applicant for a license to practice physical therapy and the department of health shall annually add four dollars to the renewal fee provided for in subsection 7 of section 147.80, for a person licensed to practice physical therapy. Such additional amounts shall be accepted as a part of the regular initial and regular renewal fee. The payment of the same shall be prerequisite to the issuance of a license and to the renewal of such license. The funds derived by the state department of health from the additional initial and renewal fees collected under this section shall be placed in a special fund by the treasurer of the state and the state comptroller to be known as the "State Board of Physical Therapy Examiners Fund" to be used by the board of physical therapy examiners to:

1. Assist in administering and enforcing the laws relating to the practice of physical therapy.

2. Assist the board of physical therapy examiners or the Iowa chapter of the American physical therapy association in conducting educational meetings for its members.

3. Assist in the advancement of the arts and sciences of physical therapy. In no event shall any part of such expense be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year shall be paid into the general fund of the state. Said fund shall be subject at all times to the warrant of the state comptroller drawn upon written requisition of the chairman of the examining board and attested by the secretary, for the payment of all salaries, per diem expense, and other expenses necessary to administer and aid in the enforcement of the provisions of law relating to the practice of physical therapy, but in no event shall the total expenses

therefor exceed the total fees collected and deposited to the credit of said fund. [C62,§147.115; 61GA, ch 167,§23]

INSPECTOR FOR OPTOMETRY EXAMINERS

147.116 Inspector employed. The board of optometry examiners is authorized to employ an inspector or attorney, who shall not be a member of the examining board, at such per diem compensation as shall be fixed by the executive council and payable from a special fund in the office of the treasurer of the state known as the state board of optometry examiners fund. [61GA, ch 166,§1]

147.117 Additional fees—fund created. The secretary of the optometry examiners shall annually add twenty dollars to the renewal fee provided in this chapter for a person licensed to practice optometry. Such additional amount shall be considered as a part of the regular renewal fee and payment of same by a licensee shall be a prerequisite to the renewal of his license. The funds derived from the additional renewal fee collected under this section shall be placed in a special fund by the treasurer of the state and the state comptroller to be known as the "State Board of Optometry Examiners Fund", to be used by the examining board to assist in administering and enforcing the laws relating to the practice of optometry, and no part of such expense shall be paid out of the state treasury. Any remainder in said fund at the end of each fiscal year shall be paid into the general fund of the state. Said fund shall be subject at all times to the warrant of the state comptroller, drawn upon written requisition of the chairman of examining board and attested by the secretary, for the payment of all salaries, per diem expense, and other expenses necessary to administer and aid in the enforcement of the provisions of law relating to the practice of optometry, but in no event shall the total expenses therefor exceed the total fees collected and deposited to the credit of said fund. [61GA, ch 166,§2]

CHAPTER 150 PRACTICE OF OSTEOPATHY AND SURGERY

Referred to in §§150A.8, 152.2, 155.3, subsection 8, 514.17

Enforcement, §§147.87, 147.90, 147.92

Penalty, §147.86

- 150.1 Definitions.
- 150.2 Persons engaged in practice.
- 150.3 Persons not required to qualify.
- 150.4 to 150.6, inc., Repealed by 60GA, ch 122, §25.
- 150.7 Scope of practice.
- 150.8 Practice of surgery banned.
- 150.9 County physician.
- 150.10 State patients.
- 150.11 Osteopathy discontinued.

150.1 Definitions. For the purpose of this Code, the following definitions are enacted:

1. Osteopathy is that school of healing art which teaches and practices scientific methods and modalities used in the prevention and treatment of human diseases, but whose basic concept, in contrast with all other schools, places paramount emphasis upon the normality of blood circulation and all other body functions as a necessary prerequisite to health and holds that such normality is more certain of achievement by and through manual stimulation or inhibition of the nerve mechanism controlling such functions, or by the correction of anatomical maladjustments.

2. Osteopathic practice is that method of rehabilitating, restoring and maintaining body functions by and through manual stimulation or inhibition of nerve mechanism controlling such body functions, or by the correction of anatomical maladjustment, and/or by other therapeutic agents, methods and modalities used supplementary thereto; but such supplementary agents, methods or modalities shall be used only preliminary to, preparatory to and/or in conjunction with such manual treatment. Such osteopathic practice is hereby declared not to be the practice of medicine within the meaning of chapter 148, nor the practice of osteopathic medicine and surgery within the meaning of chapter 150A, and is not subject to the provisions of chapter 148 or chapter 150A, except sections 148.6 to 148.9, inclusive. [C35,§2554-g1; C39,§2554.01; C46, 50, 54, 58, 62,§150.1; 60GA, ch 122,§22]

Referred to in §§150.7, 150A.2

150.2 Persons engaged in practice. For the purpose of this title the following classes of persons shall be deemed to be engaged in the practice of osteopathy:

1. Persons publicly professing to be osteopathic physicians or publicly professing to assume the duties incident to such practice of osteopathy.

2. Persons who treat human ailments by that school of healing art hereinbefore defined as osteopathy. [C24, 27, 31, §2548; C35, §2554-g2; C39, §2554.02; C46, 50, 54, 58, 62, §150.2; 60GA, ch 122, §23]

Referred to in §150.3

150.3 Persons not required to qualify. Section 150.2 shall not be so construed as to include the following classes of persons:

1. Licensed practitioners of medicine and surgery, osteopathic medicine and surgery, podiatrists, chiropractors, physical therapists, nurses, and dentists, who are exclusively engaged in the practice of their respective professions.

2. Practitioners of medicine and surgery of the United States army, navy, or public health service when acting in the line of duty in this state, or osteopathic physicians, licensed in another state, when incidentally called into this state in consultation with an osteopathic physician licensed in this state. [C24, 27, 31, §2549; C35, §2554-g3; C39, §2554.03; C46, 50, 54, 58, 62, §150.3; 60GA, ch 122, §24; 61GA, ch 167, §19]

150.4 to 150.6, inc. Repealed by 60GA, ch 122, §25.

150.7 Scope of practice. One licensed as an osteopathic physician may practice osteopathy as defined in section 150.1, including obstetrics and minor surgery. [C35, §2554-g7; C39, §2554.07; C46, 50, 54, 58, 62, §150.7; 60GA, ch 122, §26]

150.8 Practice of surgery banned. A license to practice osteopathy shall not authorize the licensee to engage in major operative surgery, but shall authorize the licensee to prescribe or give drugs and medicines whether or not prescribed or given preliminary to, preparatory to or in connection with manual treatment. [S13, §2583-b; C24, 27, 31, §2554; C35, §2554-g8; C39, §2554.08; C46, 50, 54, 58, 62, §150.8; 60GA, ch 122, §27]

150.9 County physician. The board of supervisors of any county may enter into contract with one licensed hereunder for the care and treatment of its indigent sick. [C35,§2554-g9; C39,§**2554.09**; C46, 50, 54, 58, 62,§150.9]

See also §252.39

150.10 State patients. One licensed hereunder shall have the right to examine applicants, recommend admissions and make reports in connection with the admission of patients to all state-owned institutions. [C35, §2554-g10; C39,§**2554.10**; C46, 50, 54, 58, 62, §150.10]

150.11 Osteopathy discontinued. After May 10, 1963, no license to practice osteopathy shall be issued, provided that the department of health shall issue renewal licenses to practice osteopathy as provided in chapter 147 and the department, upon recommendation of the medical examiners, may grant a license to practice osteopathy by reciprocity or endorsement if the applicant holds a valid license to practice osteopathy or osteopathic medicine and surgery issued by another state prior to May 10, 1963. [60GA, ch 122,§28]

CHAPTER 150A
PRACTICE OF OSTEOPATHIC
MEDICINE AND SURGERY

Referred to in §§148.10, 150.1, subsection 2

- 150A.1 Definitions.
 - 150A.2 Persons not engaged in practice.
 - 150A.3 Requirements to practice.
 - 150A.4 Approved colleges.
 - 150A.5 Indigent contracts.
 - 150A.6 Examination of state patients.
 - 150A.7 National board certificate.
 - 150A.8 Extension of licenses.
 - 150A.9 Resident license.
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150A.1 Definitions. For the purpose of this title, the following classes of persons shall be deemed to be engaged in the practice of osteopathic medicine and surgery:

1. Persons who publicly profess to be osteopathic physicians and surgeons, or who publicly profess to assume the duties incident to the practice of osteopathic medicine and surgery.

2. Persons who prescribe, or prescribe and furnish medicine for human ailments or treat the same by surgery.

3. Persons who act as representatives of any person in doing any of the things mentioned in this section. [60GA, ch 122, §29A]

150A.2 Persons not engaged in practice. Section 150A.1 shall not be construed to include the following classes of persons:

1. Persons who advertise or sell patent or proprietary medicines.

2. Persons who advertise, sell, or prescribe natural mineral waters flowing from wells or springs.

3. Students of medicine or surgery or osteopathic medicine and surgery, who have completed at least two years study in a medical school or college of osteopathic medicine and surgery approved by the medical examiners, and who prescribe medicine under the supervision of a licensed physician and surgeon or osteopathic physician and surgeon, or who render gratuitous service to persons in case of emergency.

4. Licensed physicians and surgeons, podiatrists, osteopaths, chiropractors, nurses, dentists, optometrists, and pharmacists who are

exclusively engaged in the practice of their respective professions.

5. Physicians and surgeons of the United States army, navy or public health service when acting in the line of duty in this state, or physicians and surgeons, or osteopathic physicians and surgeons, licensed in another state, when incidentally called into this state in consultation with a physician or surgeon, or osteopathic physician and surgeon, licensed in this state. [60GA, ch 122,§29B]

150A.3 Requirements to practice. Each applicant for a license to practice osteopathic medicine and surgery shall:

1. Either comply with all of the following:

a. Present a diploma issued, after May 10, 1963, by a college of osteopathic medicine and surgery approved by the medical examiners or present other evidence of equivalent medical education approved by the medical examiners.

b. Pass an examination prescribed by the medical examiners in subjects including anatomy, chemistry, physiology, materia medica and therapeutics, obstetrics, pathology, medicine, public health and hygiene and surgery. The board of medical examiners may require written, oral and practical examinations of the applicant.

c. Present to the state department of health satisfactory evidence that the applicant has completed one year of internship in a hospital approved by the medical examiners. No hospital shall be approved which does not provide the internship without expense to the intern. Until July 1, 1968, any osteopathic hospital which has been approved by the American Osteopathic Association for internship training shall, by virtue thereof, stand as provisionally approved by the medical examiners unless the medical examiners, by majority action, including the osteopathic physician and surgeon member, shall disapprove.

d. Be a citizen of the United States or have legally declared his intention of becoming a citizen.

2. Or comply with the following:

a. Present a valid license to practice osteopathy in this state together with satisfactory evidence that he has completed either: (1) a two-year postgraduate course, of nine months each, in an accredited college of osteopathy,

osteopathic medicine and surgery or medicine approved by the board of medical examiners of Iowa, involving a thorough and intensive study of the subject of surgery as prescribed by such medical examiners, or (2) a one-year postgraduate course of nine months in such accredited college, and in addition thereto, has completed a one-year course of training as a surgical assistant in a hospital having at least twenty-five beds for patients and equipped for doing surgical work.

b. Pass an examination as prescribed by the medical examiners in the subject of surgery, which shall be of such character as to thoroughly test the qualifications of the applicant as a practitioner of major surgery. [60GA, ch 122,§29C]

Referred to in §§147.49, 150A.7

150A.4 Approved colleges. Any college of osteopathic medicine and surgery which does not permit the medical examiners to make such reasonable annual inspection as they desire shall not be approved by the medical examiners. Until July 1, 1968, any college of osteopathic medicine and surgery which is accredited by the American Osteopathic Association shall, by virtue thereof, stand as provisionally approved by the medical examiners unless the medical examiners, by majority action including the osteopathic physician and surgeon member, shall disapprove. [60GA, ch 122,§29D]

Accredited colleges, §147.32

150A.5 Indigent contracts. The board of supervisors of any county may enter into contract with one licensed hereunder for the care and treatment of its indigent sick. [60GA, ch 122,§29E]

150A.6 Examination of state patients. One licensed hereunder shall have the right to examine applicants, recommend admissions and make reports in connection with the admission of patients to all state-owned institutions. [60GA, ch 122,§29F]

150A.7 National board certificate. The state department of health may, with the approval of the medical examiners, accept in lieu of the examination prescribed in section 150A.3 a certificate of examination issued by the National Board of Osteopathic Examiners of the United States of America, but every applicant for a license upon the basis of such certificate

shall be required to pay the fee prescribed for license issued under reciprocal agreements. [60GA, ch 122,§29G]

150A.8 Extension of licenses. On May 10, 1963, all persons licensed under the provisions of chapter 150 to practice osteopathy and surgery, shall be deemed to be licensed as osteopathic physicians and surgeons under this chapter. [60GA, ch 122,§29H]

150A.9 Resident license. Any osteopathic physician and surgeon who is a graduate of a college of osteopathic medicine and surgery approved by the medical examiners and is serving only as a resident osteopathic physician and surgeon and who is not licensed to practice osteopathic medicine and surgery in this state, shall be required to obtain from the medical examiners a temporary or special license to practice as a resident osteopathic physician and surgeon. The license shall be designated "Resident Osteopathic Physician and Surgeon License", and shall authorize the licensee to serve as a resident only, under the supervision of a licensed practitioner of osteopathic medicine and surgery, in an institution approved for this purpose by the medical examiners. Such license shall be valid for one year and may be annually renewed at the discretion of the medical examiners.

The fee for this license shall be fifteen dollars, and if extended beyond one year, an annual renewal fee of three dollars per year shall be required. The medical examiners shall determine in each instance those eligible for this license, whether or not examinations shall be given, and the type of examinations. No requirements of the law pertaining to regular permanent licensure shall be mandatory for this resident licensure except as specifically designated by the medical examiners. The granting of a resident osteopathic physician and surgeon's license does not in any way indicate that the person so licensed is necessarily eligible for regular licensure, nor are the medical examiners in any way obligated to so license such individual. The medical examiners shall revoke said license at any time they shall determine either that the caliber of work done by the licensee or the type of supervision being given such licensee does not conform to reasonable standards established by the medical examiners. [61GA, ch 168,§1]

THE PRACTICE OF CERTAIN PROFESSIONS AFFECTING THE PUBLIC HEALTH

Referred to in §§130.40, 135.11, subsection 15, 135A.1

CHAPTER 146

BASIC SCIENCE LAW

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146.1 Title. This chapter shall be known as the "Iowa Basic Science Law". [C35,§2437-g1; C39,§2437.23; C46, 50, 54, 58, 62,§146.1]

146.2 Definitions.

1. The basic sciences shall mean the following subjects: Anatomy; physiology; chemistry; pathology; bacteriology; hygiene.

2. The practice of the healing art shall mean holding one's self out as being able to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition and who shall either offer or undertake, by any means or method, to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition.

3. A license shall mean a certificate issued

to a person licensed to practice certain professions affecting the public health as provided in this title. [C35,§2437-g2; C39,§**2437.24**; C46, 50, 54, 58, 62,§146.2]

146.3 Board established. There is hereby established a board of examiners in the basic sciences of six members authorized and directed to conduct a written examination of all persons who shall hereafter apply for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic or any other system or method of healing that may hereafter be legalized in this state; said examination shall cover the six following basic sciences, viz.: Anatomy; physiology; chemistry; pathology; bacteriology; hygiene. [C35,§2437-g3; C39,§**2437.25**; C46, 50, 54, 58, 62,§146.3]

146.4 Examination required. No person shall hereafter* be eligible for examination or be permitted to take an examination for a license to practice medicine and surgery, osteopathy, osteopathy and surgery, chiropractic or any other system or method of healing that may be hereafter legalized in this state or be granted any such license until he has presented to the licensing board empowered to issue a license, a certificate of proficiency in the basic sciences as provided in this chapter. This requirement shall be in addition to all other requirements now or hereafter in effect with respect to the issuance of such license or licenses. [C35,§2437-g4; C39,§**2437.26**; C46, 50, 54, 58, 62,§146.4]

*Act effective July 4, 1935

146.5 Exceptions. Nothing in this chapter shall be construed to apply to persons holding licenses as physicians and surgeons, osteopaths, osteopaths and surgeons or chiropractors at the time this chapter takes effect*; nor shall this chapter, at any time, be construed to apply to dentists, dental hygienists, nurses, pharmacists, physical therapists, optometrists, embalmers, podiatrists, barbers or cosmetologists practicing within the limits of their respective licenses or Christian Scientists. This chapter shall not apply to students regularly registered, enrolled and in attendance as of July 1, 1936, in accredited schools of medicine, osteopathy or chiropractic in the state of Iowa. [C35,§2437-g5; C39,§**2437.27**; C46, 50, 54, 58, 62,§146.5; 61GA, ch 167,§6]

*Effective July 4, 1935

146.6 Appointment. The governor shall, with the approval of two-thirds of the senate, appoint a board of examiners in the basic sciences, hereinafter referred to as the "board," consisting of six members learned respectively in the basic sciences named herein from the faculties of the universities and four-year colleges accredited by the Iowa state board of educational examiners, who shall be appointed two for two years, two for four years and two for six years from the dates of their respective appointments. On the expiration of the term of any member the governor shall, with the approval of two-thirds of the senate, fill the vacancy or vacancies by appointment for a term of six years; on the death, resignation or removal of any member the governor shall, with the approval of two-thirds of the senate, fill the vacancy by appointment for the unexpired portion of the term. No member of the board shall hold a degree in any of the healing arts. Not more than one member of the board shall be appointed from the faculties of any one of the universities or four-year colleges described herein. [C35,§2437-g6; C39,§2437.28; C46, 50, 54, 58, 62,§146.6; 61GA, ch 68,§8(1, 2, 3)]

146.7 Meetings—powers. The board shall meet and organize, as soon as practicable, after appointment. It shall have power to elect officers from its members, to adopt a seal and to make such rules, in addition to the rules hereinafter specified, as it deems expedient to carry this chapter into effect. The board shall elect a chairman and secretary from its members. [C35,§2437-g7; C39,§2437.29; C46, 50, 54, 58, 62,§146.7]

146.8 Duties of secretary. The secretary of the board shall keep a correct record of the proceedings of said board and the questions submitted in the examination of the applicant, and the applicant's answers thereto, and upon the granting of a certificate of proficiency in the basic sciences shall, at the time of granting said certificate, certify to the state department of health the application upon which such certificate was issued, together with the questions submitted in the examination of such applicant and the answers thereto and such secretary shall deposit with the department of health all records not needed for the current use of his examining board. [C35,§2437-g8; C39,§2437.30; C46, 50, 54, 58, 62,§146.8]

146.9 Supplies. The state department of health shall furnish the board with all articles and supplies required for the public use and necessary to enable said board to perform the duties imposed upon it by law. Such articles and supplies shall be obtained by the departments in the same manner in which the regular supplies are obtained and the same shall be considered and accounted for as if obtained for the use of the department. [C35, §2437-g9; C39, §**2437.31**; C46, 50, 54, 58, 62, §146.9]

146.10 Offices. The executive council shall furnish the board with a suitable office and quarters in which to conduct the examinations held by said board at the seat of government. [C35, §2437-g10; C39, §**2437.32**; C46, 50, 54, 58, 62, §146.10]

146.11 Compensation and expenses. Each member of the board shall, in addition to necessary traveling and hotel expenses, receive fifteen dollars per day for each day actually engaged in the discharge of his duties, including compensation for the time spent in traveling to and from the place of conducting the examination, and for a reasonable number of days for the preparation of examination questions and the reading of papers, in addition to the time actually spent in conducting examinations. The compensation and expenses of the members and other expense of the board shall be paid out of the fees received from applicants. [C35, §2437-g11; C39, §**2437.33**; C46, 50, 54, 58, 62, §146.11]

146.12 Fees. The fee for examination or any re-examination by the board shall be twenty dollars. The fee for the issuing of a certificate by authority of reciprocity, as provided herein, shall be twenty dollars. All fees shall be paid to the secretary of the board by the applicant at the time of filing application. The secretary shall pay all money received as fees into the state treasury to be placed in a special fund to the credit of the board. The state treasurer shall pay out of such fund the compensation and expense of the members and other expenses incurred by the board on vouchers signed by the president and secretary of the board. [C35, §2437-g12; C39, §**2437.34**; C46, 50, 54, 58, 62, §146.12]

146.13 Applicants—qualifications. No person shall be eligible for examination for a certificate of proficiency in the basic sciences until he shall have furnished satisfactory evi-

dence to the board that he has attained the age of twenty-one years, is of good moral character and is a graduate of an accredited high school or possesses the educational qualifications equivalent to those required for graduation by an accredited high school, to be determined by the board. [C35,§2437-g13; C39,§2437.35; C46, 50, 54, 58, 62,§146.13]

146.14 Applications for examination. Any person desiring to take the examination for a certificate of proficiency in the basic sciences shall make application to the board, at least fifteen days before the examination, on a form provided by the board. Such application shall be accompanied by the examination fee and such affidavits as are necessary to show the eligibility of the candidate to take such examination. All applications shall be in accordance with the rules of the board and shall be signed and verified by the oath of the applicant. Provided, that said application shall not contain questions to be answered by said applicant which will disclose the professional school he may have attended or what system of treating the sick he intends to pursue. [C35,§2437-g14; C39,§2437.36; C46, 50, 54, 58, 62,§146.14]

146.15 Examinations—notice of. The board shall give public notice of the time and place of all examinations to be held under this chapter and such notice shall be given in such manner as the board may deem expedient and in ample time to allow all candidates to comply with the provisions of this title. [C35,§2437-g15; C39,§2437.37; C46, 50, 54, 58, 62,§146.15]

146.16 Examination—time—scope—passing grade. Said board shall meet at Des Moines and there conduct examinations in the basic sciences four times each year respectively, on the second Tuesday in January, April, July and October. The examination shall be conducted in writing in such manner that the applicant shall be known by number only until such examination papers are read and the proper grade determined. The examination shall be of such a nature as to constitute a reasonable test as to whether the person so examined has such knowledge of the elementary principles of the basic sciences as might be acquired after the completion of a course of study of the following subjects for the number of hours specified:

Subject	Hours
Anatomy	400
Physiology	200
Chemistry	200
Pathology	160
Bacteriology	100
Hygiene	40

The board shall establish rules for conducting of all examinations, grading of examinations and passing upon the technical qualifications of applicants as shown by such examinations. An applicant to pass the examination must obtain a grade of not less than seventy percent in any one subject and a total average grade of seventy-five percent in all subjects. If an applicant fails to attain the required grade in one or more subjects, he may be re-examined in the subject or subjects in which he failed, at any examination within one year without further application or examination fee. No part in the preparation of questions, the actual giving of the examinations or the grading of papers can in any way be delegated to any person other than a member of the board, or otherwise performed by any person not then a member of such board. [C35,§2437-g16; C39,§2437.38; C46, 50, 54, 58, 62, §146.16]

Referred to in §146.21

146.17 Quorum. Three members of the board shall constitute a quorum for conducting examinations. [C35,§2437-g17; C39,§2437.39; C46, 50, 54, 58, 62,§146.17]

146.18 Certificates. The board shall issue a certificate of proficiency in the basic sciences to each of the successful applicants after examination, as provided in this chapter. [C35, §2437-g18; C39,§2437.40; C46, 50, 54, 58, 62, §146.18]

146.19 Form. Each certificate of proficiency in the basic sciences shall be in the form prescribed by the board, under the name and seal of the board and signed by its chairman and secretary. [C35,§2437-g19; C39,§2437.41; C46, 50, 54, 58, 62,§146.19]

146.20 Waiver of examination. The board may, in its discretion, waive the examination and issue a certificate of proficiency in the basic sciences provided for herein and may accept in lieu of examination proof that the

applicant has passed before a board of examiners in the basic sciences or by whatsoever name it may be known or before any examining or licensing board in the healing art of any state, territory or other jurisdiction under the United States, or of any foreign country, an examination in anatomy, physiology, chemistry, pathology, bacteriology, and hygiene as comprehensive and as exhaustive as that required under authority of this chapter. [C35, §2437-g20; C39, §2437.42; C46, 50, 54, 58, 62, §146.20]

146.21 Additional waivers. Upon presentation to said board of examiners of a certificate from any college or university accredited by the north central association of secondary schools and colleges that the person seeking a certificate of proficiency under the provisions of this chapter has completed a course of study in one or more of said basic sciences of the number of hours provided for in section 146.16 of this chapter and has attained a grade of seventy-five percent in said subject or subjects the said board of examiners shall waive examination in said subject or subjects, and if said applicant shall have completed a course of study in all of said basic sciences of the number of hours provided for herein and has attained an average grade of seventy-five percent in each of said subjects the board of examiners shall upon receipt of a certificate to that effect setting forth the grades of the applicant in each of said subjects as hereinbefore provided issue to said applicant a certificate of proficiency in the basic sciences as provided for under the Iowa basic science law without further examination. [C35, §2437-g21; C39, §2437.43; C46, 50, 54, 58, 62, §146.21]

146.22 Misdemeanors. Any person who shall practice the healing art without first having obtained a certificate of proficiency in the basic sciences or violate or participate in the violation of any provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment. It shall be the duty of the attorney general and of the several county attorneys to prosecute violations of this chapter. [C35, §2437-g22; C39, §2437.44; C46, 50, 54, 58, 62, §146.22]

146.23 Discretion of boards. No provision of this chapter shall be construed as repealing any statutory provision in force at the time of its passage with reference to the requirements governing the issuing of licenses to practice the healing art, or any branch thereof, but any board authorized to issue licenses to practice the healing art, or any branch thereof, may, in its discretion, accept certificates issued by the board of examiners in the basic sciences in lieu of examining applicants in such sciences, or may continue to examine applicants in such sciences as heretofore. [C35, §2437-g23; C39, §2437.45; C46, 50, 54, 58, 62, §146.23]

Constitutionality, 46GA, ch 17, §24

MEDICAL EXAMINERS

[Filed November 20, 1951; amended May 13, 1964]

CHAPTER 1

BOARD OF MEDICAL EXAMINERS

(Medicine and Surgery, Osteopathy and Osteopathic Medicine and Surgery)

1.1 (146, 147, 148, 150) General Requirements.

Each applicant for a license shall comply with the following requirements:

1.1 (1) He shall submit a completed application form with attached recent photograph accompanied by statutory fee.

a. Statements made in the said application shall be subscribed and sworn to by the applicant and attested under seal by a notary public.

1.1 (2) He must be a citizen of the United States, or have legally declared his intention of becoming a citizen of the United States.

1.1 (3) He must furnish evidence of good moral character by:

a. Providing the names of references as to his moral character and professional standing.

b. Presenting a photostatic copy of discharge papers, if the applicant has been in the military service at any time.

c. Answering the questions in application as to whether or not the applicant has ever been convicted of an indictable misdemeanor, felony, or violation of any state or federal narcotic Act.

1.1 (4) Present a photostatic copy of a certificate of proficiency in the basic sciences issued to him by the state board of examiners in the basic sciences. This requirement is not applicable to resident physician's licenses or temporary licenses.

1.1 (5) Present a photostatic copy of a diploma granting the degree Doctor of Medicine and Surgery or Osteopathic Medicine and Surgery or its equivalent issued to the applicant by a school or college of medicine and surgery or osteopathic medicine and surgery approved by the board of medical examiners.

a. The list of approved schools or colleges of medicine prepared by the Council on Medical Education and Hospitals of the American Medical Association and the Association of American Medical Colleges, and the list of colleges of osteopathic medicine and surgery, pre-

pared by the American Osteopathic Association are accepted. However, such acceptance shall not apply to a diploma granted by an approved college of medicine and surgery or osteopathic medicine and surgery if the applicant did not complete his academic training at said approved college.

b. The medical examiners may accept in lieu of a diploma from a medical college approved by them, all of the following:

(1) A diploma issued by a medical college which has been neither approved nor disapproved by the medical examiners; and

(2) The completion of three years of training as a resident physician which training has either been approved by or is acceptable to the medical examiners; and

(3) The recommendation of the Educational Council for Foreign Medical Graduates.

1.1 (6) He shall present a photostatic copy of a certificate indicating the completion of an internship in a hospital approved by the Iowa board of medical examiners.

a. The lists of hospitals approved for intern training in the United States and Canada, prepared by the Council on Medical Education and Hospitals of the American Medical Association and the Committee on Hospitals of the American Osteopathic Association, are accepted.

1.1 (7) He must satisfactorily complete a state or national board examination.

a. Present a photostatic copy of a state license or national board certificate obtained by him as a result of such examination.

1.1 (8) Each application must include a record of the number and date each license issued, the manner in which such license or licenses was obtained, and a statement as to whether or not any license so issued has ever been suspended or revoked.

1.1 (9) Each application shall include a chronologic statement as to all the places where the candidate has practiced, type of practice engaged in and the period of time so engaged.

1.1 (10) Any candidate applying for licensure shall be required to appear for a personal interview before the board or before a member thereof, unless waived by the board.

This rule is intended to implement sections 147.29, 147.50, 148.3, 147.3, 146.4, 147.40, 148.4 and 150A.3.

1.2 (147) Rules for Conducting Examinations.

1.2 (1) The application accompanied by a fee of fifty dollars must be on file at least fifteen days before the date of examination.

1.2 (2) The board of medical examiners may require written, oral and practical examinations of any applicant, but ordinarily applicants who pass the written examination will be excused from oral or practical examination.

1.2 (3) The following is the schedule of subjects in which examinations are required:

Anatomy, Including Histology and Embryology

Chemistry

Materia Medica, Pharmacology and Therapeutics

Medicine, Including Psychiatry

Obstetrics and Gynecology

Pathology and Bacteriology

Pediatrics

Physiology

Public Health, Hygiene, Medical Jurisprudence

Surgery Including Orthopedics, Urology, Eye, Ear, Nose and Throat

Two hours will be allowed for each examination.

1.2 (4) A general average of not less than 75 percent will be required to pass, but no license will be granted to an applicant whose grade is below seventy percent in any one subject.

a. Any candidate who fails in his examination shall be entitled to take a second examination without further fee or application at any time within fourteen months after the first examination. The candidate shall be required to repeat the entire examination in his second examination.

b. Thereafter, the candidate will be required to file a new application with fee of fifty dollars and take the entire examination.

1.2 (5) A senior student expecting to graduate from an approved college of medicine and surgery or osteopathic medicine and surgery may be admitted to the examination upon presentation of a statement from the Dean of his college certifying his good standing; but his license will not be granted until he has furnished proof of graduation and satisfactory completion of his internship.

1.2 (6) A student who has completed the first two years of study in a college approved by the board may be admitted to the examination in anatomy, chemistry, physiology,

pathology and bacteriology, providing he:

a. Files with his application a certificate of good standing from the Dean of said college.

b. Presents a photostatic copy of a certificate of proficiency in the basic sciences issued by the state board of examiners in the basic sciences.

c. Pays a fee of twenty-five dollars to the board of medical examiners which fee shall not be returnable nor entitle said applicant to additional examinations, but after graduation applicant will be required to pay twenty-five dollars only for the final examination.

In each instance wherein the candidate attains a general average of seventy-five percent in said examination, the ratings attained shall be credited upon his final examination after graduation. However, if the candidate receives a grade below seventy percent in any one subject, he shall be deemed to have failed the partial examination and said candidate will be required to repeat all of the partial examination subjects at the time he takes the entire examination following graduation from his professional school.

1.2 (7) No candidate shall under any circumstances enter the examinations more than thirty minutes late unless excused by the board or a member thereof, and no candidate shall leave the room within thirty minutes after distribution of the examination papers. All time lost by being absent shall be included in the time allotted to the examination of that particular subject.

1.2 (8) Candidates will not be permitted to communicate with each other during examination, or to have in their possession help of any kind. Any applicant who violates this requirement will be dismissed and deemed to have failed the entire examination.

1.2 (9) All examinations shall be written legibly in English with pen and ink on examination paper provided by the board.

1.2 (10) Each applicant will be given a confidential number which he shall inscribe at the top center of each page of his examination; no other marks shall be placed on any paper whereby the identity of the candidate may become known. The pages are to be numbered in the upper right-hand corner.

1.2 (11) Handwriting must be legible. Punctuation, grammar, and general appearance of examination papers will be considered in grading papers.

This rule is intended to implement sections 147.29, 147.80, 148.3, 147.36, 147.81, 147.41 and 150A.3.

1.3 (147, 148) Licensure by Reciprocity or Interstate Endorsement.

1.3 (1) The fee is one hundred dollars.

1.3 (2) A license to practice medicine and surgery or osteopathy or osteopathic medicine and surgery by reciprocity or by endorsement may be issued on the basis of a written examination in substantially all of the subjects required by this board given by a state examining board having reciprocal relations with the Iowa board, provided that the applicant meets all other requirements for licensure in this state.

1.3 (3) If any state with which this state reciprocates places any limitations or restrictions upon licentiates of this state, the same limitations or restrictions may be imposed upon licentiates of such state applying for admission to practice in this state on the basis of reciprocity or endorsement.

1.3 (4) The statements made in the application must be reviewed and verified by the state examining board issuing the original license certifying under Seal as to the subjects in which the applicant was examined, the grade obtained in each subject and the general average attained in the entire examination.

a. If the examination failed to include one or more of the subjects required by the board of medical examiners, the applicant may be required to take a supplemental examination in the subjects omitted, and the grades attained thereon shall be added to those of his former examination in order to determine the general average.

1.3 (5) No reciprocal license or license by endorsement shall be issued to any applicant who has previously failed an examination in this state. However, he may apply for licensure by examination.

1.3 (6) In all cases the board of medical examiners reserves the right to review the examination papers and grades upon which reciprocal or indorsement certification may be granted before accepting the same.

1.3 (7) No reciprocal license or license by indorsement shall be issued except on the basis of a license received by examination, and the applicant must have completed at least one year of practice in the state from which he

applies or other practice or training deemed by the board to be the equivalent thereof.

1.3 (8) (147.47, 148.3, 150A.3) The board may require written, oral or a practical examination of an applicant for licensure by reciprocity or indorsement.

This rule is intended to implement sections 147.80, 147.49, 147.53, 147.46, 147.104, 147.51, 147.47, 148.3 and 150A.3.

1.4 (147, 148) License by Indorsement of National Board Certificate.

1.4 (1) The rules listed under the title "Licensure by Reciprocity Agreement or Interstate Indorsement" shall apply to all candidates for licensure by indorsement of national board credentials.

1.4 (2) The certificate of examination granted by the National Board of Medical Examiners or the National Board of Osteopathic Examiners of the United States of America may be accepted in lieu of the examination required for licensure in Iowa.

1.4 (3) A license to practice medicine and surgery or osteopathic medicine and surgery, issued by the duly constituted authority of another state, territory or foreign country, may be accepted in lieu of the examination required for licensure in this state.

This rule is intended to implement sections 147.80, 147.49, 147.53, 147.104, 147.51, 147.47, 148.3 and 150A.7.

1.5 (148) License to Practice as a Resident Physician.

1.5 (1) Limited licenses to practice medicine and surgery in hospitals as resident physicians only are granted on the basis of examination or indorsement for a period of one year, renewable for six additional years at a fee of three dollars annually on the 1st day of July following the date of issuance of such license.

1.5 (2) Each applicant shall:

a. Submit a completed application form with attached photograph accompanied by a fee of fifteen dollars.

b. Present a photostatic copy of a diploma issued by a school of medicine or college of medicine approved by the board of medical examiners.

c. Present a photostatic copy of a certificate indicating the completion of one year of internship in a hospital approved by the board of medical examiners.

d. Be a citizen of the United States or have legally declared intention of becoming a citizen of the United States.

(1) The board may waive this requirement for foreign graduates, here for training and study only, who are properly admitted under visas of the state department of the United States.

1.5 (3) Candidates may be required to satisfactorily complete an examination prescribed by the board.

a. The board may require written, oral or practical examination.

b. In any case, the board may require the candidate to appear for a personal interview before either the board or a member thereof.

c. Grades received in a state licensure or national board examination may be accepted in lieu of a written examination conducted by this board, in which instance:

(1) The applicant must furnish a photostatic copy of an original certificate of license or national board certificate obtained as a result of such examination.

(2) The statements made in the application must be reviewed and verified by the examining board issuing the original certificate, who will also certify, under seal, as to the schedule of subjects in which the applicant was examined, the grades given thereon and the general average attained.

This rule is intended to implement section 148.5, line - 20, sentences 5 and 6.

1.6 (148) Temporary Licensure.

1.6 (1) Temporary licenses may be granted on the basis of examination or indorsement for a period not to exceed one year.

1.6 (2) Each applicant shall:

a. Submit a completed application form with attached photograph accompanied by a fee of twenty-five dollars.

b. Present a photostatic copy of a diploma issued by a school or college of medicine and surgery or osteopathic medicine and surgery approved by the board of medical examiners.

c. Present a photostatic copy of a certificate indicating the completion of one year of internship in a hospital approved by the board of medical examiners.

d. Be a citizen of the United States or have legally declared intention of becoming a citizen of the United States.

(1) The board may waive this requirement of foreign physicians, here for teaching or training and study only, who are properly admitted under visas of the state department of the United States.

e. Furnish an affidavit from a licensed physician or the Dean of an approved college in this state setting forth facts supporting the need that exists for the issuance of said license.

1.6 (3) (148.10) Candidates may be required to satisfactorily complete an examination prescribed by the board.

a. The board may require written, oral or practical examinations.

b. In any case, the board may require the candidate to appear for a personal interview before either the board or a member thereof.

c. Grades received in a license examination before the duly constituted authority of another state, territory, foreign country or before the national board of medical examiners or national board of osteopathic examiners may be accepted in lieu of a written examination conducted by this board, in which instance:

(1) The applicant must furnish a photostatic copy of his national board certificate or an original certificate of license obtained as a result of such examination.

(2) The statements made in the application must be reviewed and verified by the examining board issuing the original certificate, who will also certify, under seal, as to the schedule of subjects in which the applicant was examined, the grades given thereon and the general average attained.

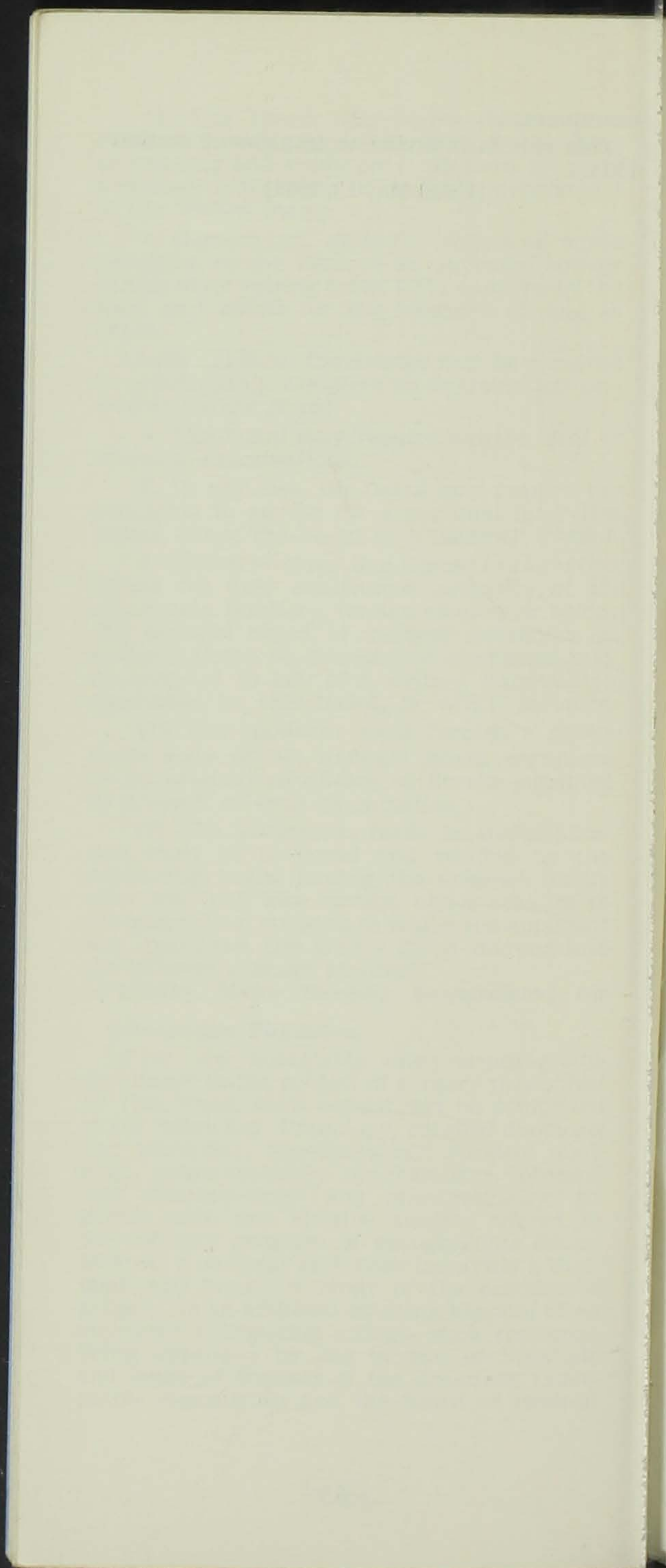
1.7 (150A) Major Surgery Requirement for Osteopathic Physician.

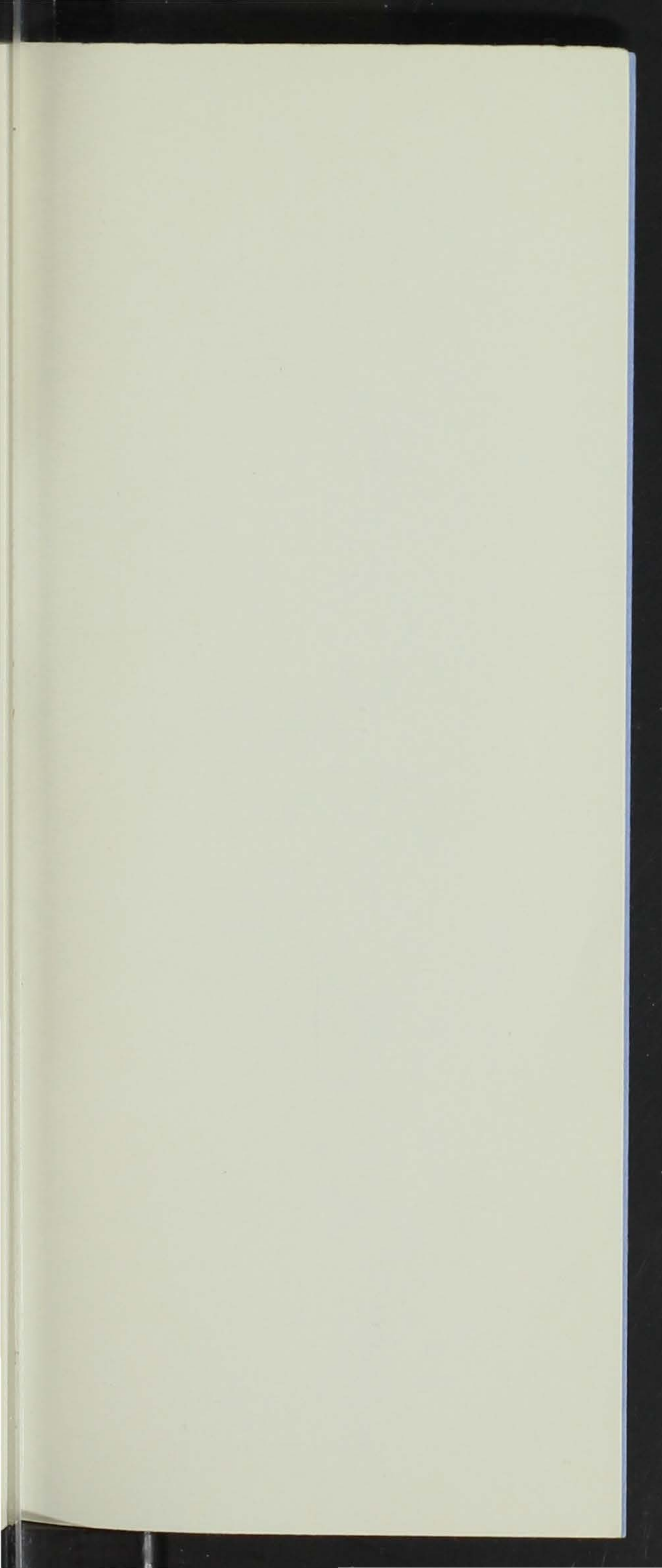
1.7 (1) An acceptable one-year-post-graduate course in the subject of surgery prescribed by this board, shall consist and be comprised of the following: Pathology, surgical diagnosis and technique, roentgenology, surgical anatomy, neuro-anatomy, bio-chemistry, physiology, pharmacology and anesthesiology; together with one elective subject offered in the college's program of post-graduate education; or, a one-year residency involving a thorough and intensive study of the practice of surgery, in an affiliated teaching hospital of an approved osteopathic college, such residency being approved by the bureau of hospitals and board of trustees of the American Osteopathic Association and the board of medical

examiners.

This rule is intended to implement section 150A.3.

[Filed May 13, 1964]









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